

ARTICLE 26. DEFINITIONS

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26.1 PURPOSE

This Article contains definitions for generic uses allowed in the zoning districts and general terms used throughout the Ordinance.

26.2 DEFINITIONS GENERALLY

The language set forth in the text of this Ordinance is interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural, and the plural the singular.
- B. The present tense includes the past and future tenses, and the future tense includes the present.
- C. The words “shall” and “must” are mandatory, while the word “may” is permissive.
- D. The terms “shall not,” “must not,” “will not,” and “may not” are prohibiting.
- E. The use of one gender includes the other gender.
- F. Whenever a defined word or term appears in the text of this Ordinance, its meaning is construed as set forth in the definition. Any word appearing in parenthesis, between a word and its definition herein, is construed in the same meaning as that word. Words not defined are interpreted in accordance with the definitions considered to be normal dictionary usage.

26.3 RULES OF GENERIC USE DEFINITIONS

- A. Certain terms in this Article are defined to be inclusive of many uses in order to eliminate overly detailed lists of uses in the zoning districts established by this Ordinance. These terms are referred to as “generic uses.”
- B. A use that is not specifically listed in a zoning district, does not fall within a generic use definition as defined in this Article, or is not interpreted as part of a generic use is prohibited.
- C. Any use specifically listed within any zoning district use table of this Ordinance or within the definitions cannot be considered part of a generic use definition.

26.4 NO VARIANCE

The definitions of this article cannot be waived. No variances are permitted to general term or generic use definitions.

26.5 COMMON ABBREVIATIONS

The following are abbreviations used within this Ordinance:

- A. "DU" is an abbreviation for "dwelling unit."
- B. "SF" is an abbreviation for "single family."
- C. "2F" is an abbreviation for "two-family."
- D. "sf" is an abbreviation for "square feet."
- E. "N/A" is an abbreviation for "not applicable."
- F. "GFA" is an abbreviation for "gross floor area."
- G. "DBH" is an abbreviation for "diameter at breast height"

26.6 DEFINITIONS

Aboveground Utility Structure. Any structure, cabinet, pedestal, splice box, riser, service box, network access terminal, electric meter, or similar structure, other than a pole or device attached to a pole, which is owned and used by a utility company, cable company, or communications provider to provide service. This does not include traffic or pedestrian traffic control devices, infrastructure that provides water for fire suppression, safety devices such as casting vents, or temporary structures for emergency services.

Abuse Addiction Treatment Facility. A facility that provides services related to prevention and/or treatment of the abuse/addiction of controlled dangerous substances, drugs or inhalants, alcohol, problem or compulsive gambling, or a combination of the above. The facility shall be licensed by the State of Louisiana to provide treatment to clients diagnosed with abuse/addiction disease/disorders and provide related support and prevention intervention to families, the public, and those individuals identified as having greater than normal risk for developing abuse/addiction disease/disorders. If the facility is residential, it shall be deemed a Residential Care Facility for the purpose of identifying zoning districts in which the use is permitted.

Abut. To have a common district boundary or lot boundary. For the purposes of this Ordinance, a lot line is considered to abut a zoning district even though it may be separated by any portion of a street, parkway, sidewalk, public way, alley, waterway or railroad right-of-way. The terms adjacent, adjoining and contiguous have the same meaning as abut.

Accessibility Ramp. A ramp or similar structure that provides wheelchair or similar handicap access to a building.

Accessory Structure. A structure located on the same lot as, and of a nature and use clearly incidental and subordinate to, the principal structure, that does not contain habitable space.

Accessory Use. A use that is incidental and subordinate to the principal use of the land or building that is located on the same lot as the principal use or building, except as otherwise provided for in this ordinance.

Active Recreation. Recreational activities, usually performed with others, that often require equipment and take place at designated places, sites, or fields. Active recreation includes, but is not limited to, swimming, tennis, basketball, and other court games, and baseball diamonds and other field sports.

Addition or Enlargement. Any construction that increases the size of a structure in terms of site coverage, building height, depth or width, floor area, or cubical content.

Adjacent. See “Abut.”

Adjoining. See “Abut.”

Adult Use. Any premises that sells or disseminates explicit sexual material as defined in the City Code. For purposes of this definition, the following terms have the following meanings:

- A. Adult Retail Goods Establishment.** A business that provides sexually-oriented devices, goods, products or merchandise directly to the consumer which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.
- B. Adult Live Performance Venue.** An establishment that features dancers, go-go dancers, exotic dancers, or similar entertainers or live entertainment, where persons regularly appear in a state of nudity, or where live performances are characterized by the exposure of specified anatomical areas or by specified sexual activities as defined below. Such establishments specifically exclude minors, or minors are specifically prohibited by statute or ordinance, regardless of whether or not any such business is licensed to sell alcoholic beverages.
- C. Adult Motion Picture Theater.** An establishment used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined below, for observation by patrons therein.
- D. Sexually-Oriented Devices.** Any artificial or simulated specified anatomical area or other device or paraphernalia that is designed in whole or part for specified sexual activities.
- E. Specified Anatomical Area.** Specified anatomical area means:
 - 1. Less than completely and opaquely covered genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola.
 - 2. Human male genitals in a discernible turgid state, even if completely and opaquely covered.
- F. Specified Sexual Activities.** Specified sexual activities means:
 - 1. Human genitals in a state of sexual stimulation or arousal.
 - 2. Acts of human masturbation, sexual intercourse or sodomy.
 - 3. Fondling or erotic touchings of human genitals, pubic regions, buttocks or female breasts even if completely and opaquely covered.

Affordable Housing Set-Aside. A recorded restriction that requires a certain percentage of dwellings within a development to be rented or owned by families and individuals whose income at initial occupancy is no more than the household income threshold requirement (a percent of the area median income (AMI)) as determined by the Federal Department of Housing and Urban Development guidelines and adjusted for family size. Income levels are defined as follows:

- A. Low Income.** No more than eighty percent (80%) of area median income.
- B. Very Low Income.** No more than fifty percent (50%) of area median income.
- C. Extremely Low Income.** No more than thirty (30%) of area median income.

Aggrieved Party. A party whose personal, pecuniary, or property rights have been adversely affected by another person's actions or by the City's regulatory decisions.

Agriculture. Land on which crops are grown and/or livestock are raised for sale, commercial use, personal food production, donation, or educational purposes.

Airport. Land, water, or structures used for the landing and takeoff of aircraft, including airport buildings, airport structures, or airport rights-of-way. An airport includes passenger terminals for that airport and any ancillary uses within the passenger terminal, such as restaurants and retail goods establishments.

Alley. A right-of-way that affords a secondary means of access to property abutting thereon.

Alteration. Any change in the size or design of a structure.

Amateur (HAM) Radio Equipment. An amateur (HAM) radio station licensed by the Federal Communications Commission (FCC), including equipment such as, but not limited to, a tower or alternative tower structure supporting a radiating antenna platform and other equipment.

Animal Hospital. An establishment for the care and treatment of animals, and where animals may be boarded during their convalescence. An animal hospital may include boarding services as an ancillary use, but the primary operation of the use is the care and treatment of the diseases and injuries of animals.

Apiary. A place where bee colonies are kept in hives. The following terms relating to apiaries are defined as follows:

- A. Bee.** The common domestic honey bee (*Apis mellifera*).
- B. Colony.** The group of bees inhabiting a hive.
- C. Hive.** A structure designed and used for the housing of a colony.

Appurtenance. An architectural feature of a structure that is higher than the structure it is attached to. See "Building Height" for appurtenances exempt from building height regulations.

Aquaponics. The farming of aquatic organisms such as fish, crustaceans, mollusks, and aquatic plants under controlled conditions.

Arbor. A freestanding decorative structure with open sides and decorative latticework used in a garden to support vines or climbing plants. (See [Figure 26-1: Arbor](#))

FIGURE 26-1: ARBOR



Architectural Feature. A portion of or projection from a structure that contributes to the aesthetics, excluding signs, that is not necessary for the structural integrity of the structure or to make the structure habitable.

Arena. A commercial structure with tiers of seats rising around a field or court, intended to be used primarily for the viewing of athletic events. Sports arena may also be used for entertainment and other public gathering purposes, such as conventions, circuses, or concerts. Unless otherwise restricted by this Ordinance, an arena may serve alcoholic beverages as an ancillary use but only when the arena is open to the public for an event.

Arrays. A group of antennas arranged by a wireless telecommunications service provider and placed on a tower or structure at a given height to provide the desired directional characteristics.

Art Gallery. A commercial establishment engaged in the sale, loan, and exhibition of paintings, sculpture, photography, video art, or other works of art. An art gallery does not include a cultural facility, such as a library, museum, or non-commercial gallery that may also display paintings, sculpture, photography, video art, or other works of art. This includes a permanent outdoor art market on private property where artists display and sell hand-crafted or personally produced art directly to retail customers at stalls, booths, tables, platforms, or similar display areas, under the supervision of a proprietor that rents or otherwise arranges for assigned spaces for each vendor.

Artist Community. Land and structures used as a meeting place, retreat, and exhibition center for the exchange of ideas between artists, members of the professional art community, and the general public, which may provide exhibition space, work space, meeting space, lecture halls, performance space, and sculpture parks, as well as living and dining facilities for the staff, artists, and participants in the center's retreat programs.

Arts Studio. An establishment for the instruction or study of an art or type of exercise or activity such as dance, martial arts, photography, music, painting, gymnastics, or yoga, whether or not the artists live at the establishment.

Attention Getting Device. Any pennant, flag, festoon, valance, propeller, pole covers, spinner, streamer, inflatable device, searchlights, flashing lights, changing colors, rotating or moving displays, and similar device or ornamentation designated for the purposes of attracting attention, promotion, or advertising.

Attic. An unfinished space below the roof and above the top finished floor of a structure.

Auditorium. A structure designed or intended for use as a concert, commencement, or lecture hall to accommodate the gathering of people as an audience to experience music, lectures, plays, and other presentations or performances.

Awning. A roof-like cover with no supports extending to the ground, constructed of fabric, metal, glass, or other material, designed and intended for protection from the weather or as a decorative embellishment, and attached to the wall of a structure over a window, entryway or walkway. For awnings that advertise a business, see "Sign, Awning."

Balcony. A platform which projects from the exterior wall of a structure, is exposed to the open air and remains unenclosed, is surrounded by a railing or balustrade, has direct access to the interior of the building, and is not supported by posts or columns extending to the ground.

Bar. An establishment serving alcoholic beverages in which the principal business is the sale of such beverages for consumption on the premises. A bar may include a micro-brewery or micro-distillery on site as an ancillary use and retail sales of those beverages produced in the on-site micro-brewery or micro-distillery. Unless otherwise permitted by law, retail sales of packaged alcoholic beverages for consumption off the premises are prohibited. In the VCE and VCE-1 Districts, Bars shall have a minimum

entertainment floor area of 2,000 square feet, providing live entertainment, but not live adult entertainment, and/or a permanent area for dancing and which may serve food and/or alcoholic beverages. The entertainment floor area shall be composed of the wet-bar, dance floor and/or live entertainment stage area, and table area.

Basement. That portion of a structure below the first story and having more than one-half (½) its height below grade.

Batching Plant (Asphalt, Cement or Concrete): A facility to combine, mix or process appropriate amounts of natural and man-made elements or compounds into a quantity of material required for an operation.

Base Zoning District. A zoning district provided in Section 6.2, other than an overlay zoning district.

Bay Window. A window that projects outward from a structure that does not rest on the foundation or on the ground.

Bed and Breakfast. A residential structure that provides sleeping rooms for overnight paid occupancy. Bed and breakfast is further defined as follows:

- A. Bed and Breakfast, Accessory.** An owner-occupied building designed as either a single-family or a two-family dwelling that has been converted to a single-family dwelling, which provides no more than four (4) guest rooms for overnight paid occupancy of up to fourteen (14) nights. Common bathroom facilities may be provided rather than private baths for each room.
- B. Bed and Breakfast, Principal.** An owner- or operator-occupied residential structure that provides no more than nine (9) guest rooms for overnight paid occupancy of up to fourteen (14) nights. Common bathroom facilities may be provided rather than private baths for each room.

Bedline. The defining edge of a planting bed.

Berm. A landscaped earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or meet other such purposes.

Bicycle Share Hub. An outdoor location with automated facilities that includes bicycles and bicycle racks for the sharing, rental, and parking of bicycles. Bicycle share hubs may include kiosks to provide for payment, information display, and other related functions.

Billboard. A permanent sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises where the sign is located. A billboard is also called an outdoor general advertising sign.

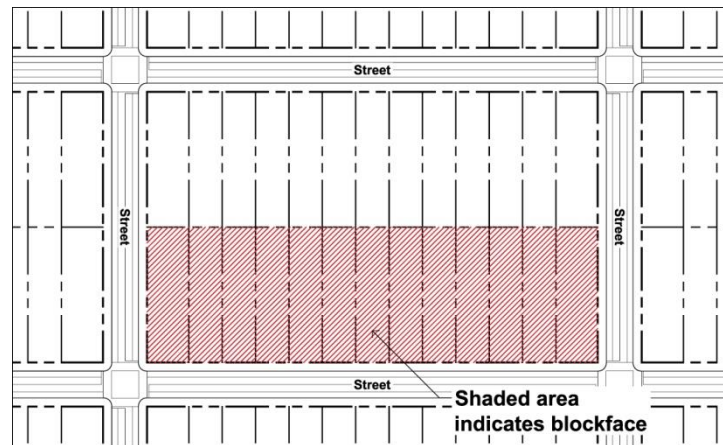
Bioretention. A process where contaminants and sedimentation are removed from stormwater runoff by collecting stormwater into a treatment area that consists of a grass buffer strip, sand bed, ponding area, organic layer or mulch layer, planting soil, and plants for exfiltration into the underlying soils.

Bioswale. Landscape elements designed to remove silt and pollution from stormwater runoff, which consist of a swaled drainage course with gently sloped sides of less than six percent (6%) slope and filled with vegetation, compost, or riprap.

Block. A City-designated square, provided that where a square designation does not exist or cannot be identified, a block is defined as: (1) a portion of land enclosed by public rights-of-way, or (2) a portion of land enclosed by any combination of public rights-of-way, railroads, canals, bayous, rivers, and boundary lines of the City, whichever is smallest.

Blockface. One (1) side of a given street between two (2) consecutive intersecting streets. (See [Figure 26-2: Blockface](#))

FIGURE 26-2: BLOCKFACE



Blue Roof. A roof designed to store and discharge water, typically rainfall.

Boat Launch. A ramp or similar structure or area used for the placement of a boat into the water and for the retrieval of a boat from the water to a trailer or device.

Boathouse. A structure that provides storage for watercraft and may be used as a dwelling

Borrow Pit. An excavated hole in the ground from which sand, gravel, soil, or similar material is extracted for use as fill on the same lot or adjacent lots where the pit is located. Borrow pits do not include pits located in navigable waterways, pits used for foundations for buildings, private man-made lakes, and pits developed as swimming pools or similar accessory facilities.

Breakwater. Offshore coastal defense structures built of stone parallel to the coastline that help absorb the energy of breaking waves.

Breezeway. A roofed, open-sided passageway connecting two (2) or more structures such as a residence and a detached garage.

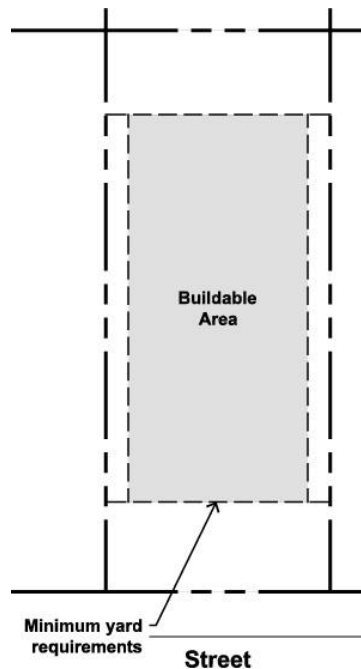
Brewery. A facility licensed as a "Manufacturer or brewer" as defined in Title 26, Section 241, of the Louisiana Revised Statutes. The facilities may include an on-site tasting room as an accessory use with retail sales of only those alcoholic beverages produced at the facility for consumption on or off the premises. An on-site tasting room shall be subject to the use and parking standards of a bar and any limitations provided for in state law. The facilities may also include other uses such as standard restaurant, bar, or live entertainment as permitted in the zoning district, with retail sales of only those alcoholic beverages produced at that facility for consumption on or off the premises, subject to the use standards of Article 20, parking standards of Article 22, and any limitations provided for in state law.

Broadcast Studio. Commercial and public communications facilities, including radio, internet, television broadcasting and receiving stations, and studios.

Build-To Line. An alignment established a specified distance from the lot line to a line along which the building shall be built.

Buildable Area. The area of a lot where a structure may be built once the minimum yard and open space requirements of this Ordinance have been met. (See [Figure 26-3: Buildable Area](#))

FIGURE 26-3: BUILDABLE AREA



Building. A structure designed or built or used for the support, enclosure, shelter, or protection of persons, animals, or property.

Building, Attached. A structure that has part of a wall or roof in common with another building

Building, Detached. A structure unattached to another structure on the same lot. A building connected to another building by an unenclosed structure, such as a breezeway, is considered a separate detached building.

Building, Height. (See [Figure 26-4: Building Height](#))

A. The vertical distance as measured from grade to:

1. The highest point of the coping of a flat roof.
2. The highest point of a mansard roof.
3. The mean height level between eaves and ridge for gable, hip, shed and gambrel roofs. When the highest wall of a structure with a shed roof is within thirty (30) feet of the public right-of-way, the height of the structure is measured to the highest point of coping or parapet.
4. Where maximum building height standards include both the maximum height measured in feet, as well as the maximum number of stories allowed (Ex: 65 ft. and 5 stories), the maximum number of stories allowed shall only apply to the primary façade(s), and shall allow for an additional floor behind a vestibule for parking, mechanical and service uses. (See [Figure 26-4A: Building Height Allowance](#).)

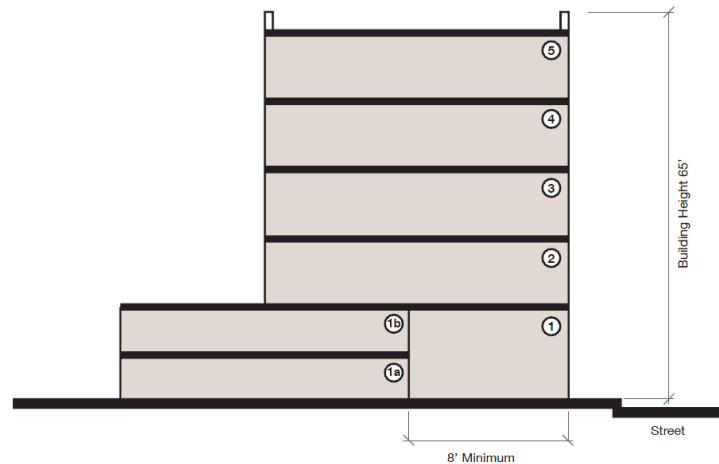
B. Except within the boundaries of the Vieux Carré, Building height calculations do not include the following appurtenances:

- 1.** Belfries
- 2.** Cablecasting towers and antennae less than one-hundred twenty-five (125) feet in height
- 3.** Chimneys
- 4.** Church steeples and similar architectural features
- 5.** Commercial radio and television towers less than one-hundred twenty-five (125) feet in height
- 6.** Conveyors
- 7.** Cooling towers
- 8.** Cupolas
- 9.** Elevator bulkheads; when access is provided directly to a roof from an elevator, the bulkhead shall comply with the “Flat Roof Features” provision provided in Section 21.6.O.
- 10.** Fire towers
- 11.** Flagpoles
- 12.** Microwave towers
- 13.** Ornamental towers and spires
- 14.** Public monuments
- 15.** Public water towers
- 16.** Public utility towers, poles and terminal facilities
- 17.** Smoke stacks
- 18.** Stage towers or scenery lofts
- 19.** Water tanks and water towers
- 20.** Solar panels
- 21.** Wireless telecommunication antenna and related equipment
- 22.** Guardrails, provided that they comply with the “Flat Roof Features” provisions provided in Section 21.6.O.
- 23.** Stair Bulkheads, provided that they comply with the “Flat Roof Features” provisions provided in Section 21.6.O.
- 24.** Bathroom Facilities, provided that they comply with the “Flat Roof Features” provided in Section 21.6.O.

FIGURE 26-4: BUILDING HEIGHT



FIGURE 26-4A: BUILDING HEIGHT



Building Line. A line measured at the building wall of a structure between parallel lot lines. For the purposes of establishing a building line, the building wall does not include permitted encroachments of architectural features, such as uncovered porches, bay windows, eaves, landings, and steps and stoops, however, features with covers and footings are considered part of the building wall and the building line shall be measured from the base of the footing of the covered feature.

Bulkhead. A man-made retaining wall constructed along shorelines with the purpose of controlling erosion.

Bulkhead Line. An official line established by ordinance of the City Council to limit the extent of bulkheads and similar structures.

Bulletin Board. Manually changeable message board within a permanent sign. (See [Figure 26-5: Bulletin Board](#))

FIGURE 26-5: BULLETIN BOARD



Bus Terminal. Any premises designated specifically for the housing and/or parking of motordriven buses, and the loading and unloading of passengers, including charter buses.

Cabana. An accessory building or a portion of the main building used as a bathhouse or dressing area in connection with a swimming pool or tennis court.

Cable Communications System. A system of antennas, cables, amplifiers, towers, microwave links, cablecasting studios, and other conductors, converters, equipment, or facilities, designed and constructed for the primary purpose of distributing video programming to home subscribers. A secondary purpose includes producing, receiving, amplifying, storing, processing, or distributing audio, video, digital, or other forms of electronic or electrical signals.

Caliper. A standard for trunk measurement of nursery stock, as measured at six (6) inches above the ground for trees up to and including four (4) inch caliper size, and as measured at twelve (12) inches above the ground for larger sizes.

Campground. An area to be used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters of any kind for a maximum of fifteen (15) days.

Canopy. A roof-like cover carried by a frame supported by the ground, constructed of fabric, metal, glass, or other material, designed and intended for protection from the weather or as a decorative embellishment, and projects from the wall of a structure over an entryway. For canopies that advertise a business, see “Sign, Canopy.”

Car-Share Facility. A membership-based car-sharing service that provides automobile rental to members, billable by the hour or day. Car-sharing is not considered a motor vehicle rental establishment.

Car Wash. A commercial establishment engaged in the washing and cleaning of passenger vehicles, recreational vehicles or other light duty vehicular equipment, whether automatic or by hand.

Carnival/Circus. A traveling or transportable group or aggregation of rides, shows, exhibits, games, and/or concessions.

Carport. A canopy-like structure, open on at least two (2) sides, for the purpose of providing shelter for one (1) or more vehicles.

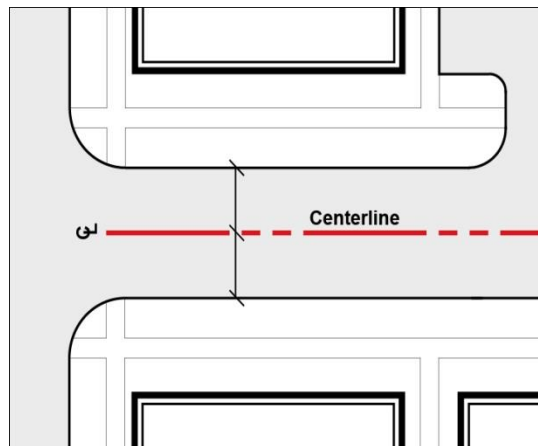
Casino/Gaming Establishment. The official gaming establishment as defined in Louisiana Revised Statutes 27:203.

Catering Kitchen. A facility for the preparation and distribution of foods in a ready-to-consume or partially ready state directly to mobile food trucks or for consumption at events off-site. Catering kitchens do not include the on-site sale of individual meals, individual beverages, or the manufacturing of alcoholic beverages.

Cemetery. Land used or dedicated to the burial of the dead, including crematoriums, mausoleums, and necessary sales and maintenance facilities. Mortuaries and chapels may be included when operated within the boundary of a cemetery.

Center Line. A line equidistant from both of the sidelines defining a public right of way. (See Figure 26-6: Centerline)

FIGURE 26-6: Centerline



Central Business District. The area bounded by the Mississippi River, Interstate 10/North Claiborne Avenue, the Pontchartrain Expressway/Highway 90, and Iberville Street.

Check Cashing Establishment. An establishment, other than a state or federally chartered bank or financial institution (i.e., savings association, credit union), that provides the general public a check cashing service. As a primary element of its operation, the establishment charges either a flat fee for such service or a service fee based upon a percentage of the face value of the check to be cashed.

Chimney. A vertical shaft of reinforced concrete, masonry, or other material enclosing one (1) or more flues, designed for the purpose of removing products of combustion.

Cigar Bar. An establishment whose principal business is the sale of cigars and cigar related products (for on or off-premise consumption) where the sales of cigars and cigar related products produces thirty-five (35) percent or more of the gross revenue for said establishment, where food products may be served for consumption on premises as an ancillary use and where alcoholic beverage may be served, where at least twenty-five (25) percent or more of the usable space of the establishment is used to display cigars and cigar related products for retail sale, where the operator maintains a minimum of \$5,000 in inventory of cigar and cigar related product on site for retail sale, where the establishment provides a minimum of twenty (20) humidor lockers on-site for patron use or rental, but where neither live entertainment nor gambling are provided, and where cigarettes are not sold or permitted for consumption on site.

Cistern. A permanent artificial reservoir built to catch and store rainwater, typically located underground but may be located aboveground.

City. The City of New Orleans, as defined in Section 1-101 of the Home Rule Charter of the City of New Orleans.

Co-location. Placement of wireless telecommunications antennas from more than one (1) service provider on a single tower or site.

Columbarium. A structure for the storage of cinerary urns.

Commercial Vehicle. A vehicle operated for the transportation of persons or property in the furtherance of a commercial enterprise. This definition does not include a commuter van, a vehicle used for ride-sharing, or a recreational vehicle that is not being used commercially.

Common Ownership. Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association, or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which a stockholder, partner, or associate owns an interest in each corporation, firm, partnership, entity, or unincorporated association.

Community Center. A facility used as a place of meeting, recreation or social activity, and not operated for profit, which is open to the public.

Compost Pile. A collection of decaying plant product for the purpose of producing a stabilized humus-like material that is potentially beneficial to plant growth and usable as a soil conditioner, top soil, growing medium additive, or other similar use.

Composting Facility. A facility to process raw manure or other raw organic by-products into biologically stable organic material.

Contiguous. See “Abut.”

Construction or Demolition Debris Recycling Facility. Establishments that receive and process general construction or demolition debris, including concrete or asphalt, for separation or processing for the purposes of returning the material to the economic mainstream in the form of raw materials.

Contractor Storage Yard. Land or structures used primarily for the storage of equipment, vehicles, machinery, or building materials of a contractor in the conduct of any building trade or craft.

Convent and Monastery. A building or group of buildings designed to provide group housing for persons of a religious order or community. This definition includes rectories.

Convention Center. A facility designed and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with ancillary functions including temporary outdoor displays and food and beverage preparation and service for on-premise consumption.

Country Club. A public or private facility operated for social and outdoor recreation purposes with recreation facilities for members, their families, and invited guests. A country club may include bars and restaurants.

Critical Root Zone. The minimum area beneath a tree that shall be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone is a circular area that has a radius of twelve (12) inches to every one (1) inch in diameter of trunk taken at four and one-half (4.5) feet above grade.

Cultural Facility. A use that is open to the public and provides cultural services and facilities including, but not limited to, libraries, museums, aquariums, zoos, botanical gardens, and historical societies. A cultural facility may have ancillary retail uses, that offers items related to the facility for sale, and ancillary restaurants, which are only open during the hours of operation of the facility. A cultural facility may hold special events and receptions on-site, including events that take place after closing hours.

Day. For the purposes of this Ordinance, day is calculated as a calendar day, which is a continuous twenty-four (24) hour period from midnight to the following midnight. Calendar days are calculated on a continuous cycle and include three-hundred sixty-five (365) days per year except in a leap year.

Day Care Center, Adult. A facility where, for a portion of a twenty-four (24) hour day, functionally-impaired adults that are not related to the owner or operator of the facility are supervised or participate in a training program. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty by reason of insanity. An adult day care center does not include adult day care home.

- A. Day Care Center, Small: Up to twelve (12) adults
- B. Day Care Center, Large: Thirteen (13) to thirty (30) adults
- C. Day Care Center, Commercial: Thirty-one (31) or more adults

Day Care Center, Child. A facility where care, supervision and guidance of children that are not related to the owner or operator of the facility is provided on a regular basis. A child day care center does not include a child day care home.

- A. Day Care Center, Small: Up to twelve (12) children
- B. Day Care Center, Large: Thirteen (13) to thirty (30) children
- C. Day Care Center, Commercial: Thirty-one (31) or more children

Day Care Home, Adult. A residential dwelling where a permanent occupant of the dwelling provides care for elderly and/or functionally-impaired adults in a protective setting for less than twenty-four (24) hours per day. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty by reason of insanity.

- A. Day Care Home, Small: Up to five (5) adults
- B. Day Care Home, Large: Six (6) or more adults

Day Care Home, Child. A residential dwelling where a permanent occupant of the dwelling provides care for children from outside households in a protective setting for less than twenty-four (24) hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of twelve (12). A child day care home does not include facilities that receive children from a single household.

- A. Day Care Home, Small: Up to five (5) children
- B. Day Care Home , Large: Six (6) or more children

Deck. A raised platform built above grade on support structures, which is open to the sky and attached to the principal building. A deck is distinguished from a terrace in that a terrace is a raised surface constructed above grade built upon a solid base. Decks eighteen (18) inches above grade are considered part of the principal structure and not an accessory structure.

Dedicated Water Meter. A water meter that exclusively meters water used for outdoor watering and irrigation.

Demolition. The removal of a structure from its site or the removal, stripping, concealing, or destruction of the facade or any significant exterior architectural features that are integral to the historic character of the resource, for whatever purpose, including new construction or reconstruction.

Density. The number of dwelling units per lot of record .

Detention Basin. A man-made basin designed to protect against flooding by storing stormwater for a limited period of a time. For the purposes of this Ordinance, a detention basin includes an infiltration basin designed to direct stormwater to groundwater through permeable soils.

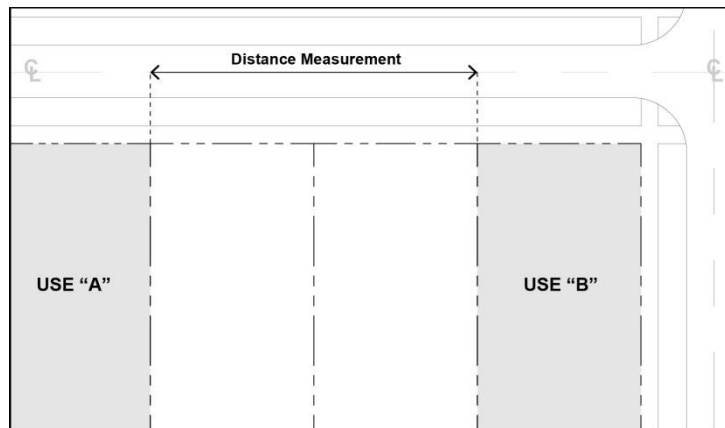
Development Plan. A plan or program that provides details for complex or phased development projects, which is intended to aid in the evaluation of a proposal and its impacts on neighboring property, as well as

to anticipate the necessary infrastructure systems (road network, drainage, parks and open space, utilities, etc.) that are needed to support the development.

Diameter at Breast Height (DBH). The measurement of tree trunk diameter measured at breast height. Breast height is generally defined as four and one-half (4.5) feet above the ground.

Distance Requirement (Measurement). A minimum distance or spacing requirement is measured along the centerline of the adjacent public right-of-way from the nearest point of the lot on which such use is located to the nearest point of a lot where another use is required to be located. (See [Figure 26-6: Distance Requirement – Spacing](#))

FIGURE 26-7: DISTANCE REQUIREMENT - SPACING



District. A zoning district provided in Section 6.2.

Distillery. A facility licensed as a “Manufacturer” as defined in Title 26, Section 2, of the Louisiana Revised Statutes. The facilities may include an on-site tasting room as an accessory use with retail sales of only those alcoholic beverages produced at that facility for consumption on or off the premises. An on-site tasting room shall be subject to the use and parking standards of a bar and any limitations provided for in state law. The facilities may also include other uses such as standard restaurant, bar, or live entertainment as permitted in the zoning district, with retail sales of only those alcoholic beverages produced at that facility for consumption on or off the premises, subject to the use standards of Article 20, parking standards of Article 22, and any limitations provided for in state law.

Docket. The official schedule of matters related to the functions of the Board of Zoning Adjustments, City Planning Commission, or City Council.

Dog House. An accessory structure designed for the containment of dogs and similar animals.

Dog Run. A fenced or enclosed outdoor area intended for the exercising and containment of dogs and similar animals.

Domestic Protection Shelter. A facility for victims of domestic and family violence that provides shelter and comprehensive residential and/or non-residential services.

Dormitory. A structure used for living and sleeping accommodations related to an educational facility, hospital, institutional use, or a hostel.

Drive-Through Facility. A portion of a structure used to provide or dispense products or services through an attendant window or automated machine to persons remaining in motor vehicles in a designated stacking aisle. A drive-through facility is typically constructed in combination with other uses, such as a financial institution, retail goods establishment, or restaurant.

Driveway. A strip of land that provides vehicular access between the street and a parking space, carport, or garage.

Driving Range. An area equipped with distance markers and tees for practicing the hitting of golf balls, which may include an ancillary snack-bar and pro-shop.

Dry Dock and Launching Operations: In dry dock and lift operations, a ship or boat is removed from the water to enable work to be performed on the exterior part of the ship below the waterline. In launching, the new or repaired ship is floated in place, lifted via cranes or slid from its berth. The storage of marine vessels is also allowed under this use.

Dwelling. A structure, or portion of a structure, designed or used exclusively for permanent residential purposes, including single-family, two-family, townhouse, and multi-family dwellings, but not including trailers, hotels/motels, rooming houses, or automobiles.

Dwelling, Above the Ground Floor. Dwelling units that are within multi-story buildings located above non-residential uses on the ground floor or located behind non-residential uses on the ground floor. In the case of dwelling units located behind non-residential uses on the ground floor, non-residential uses shall be located along the primary street frontage.

Dwelling, Attached. A dwelling designed as a single structure, but containing more than one (1) dwelling unit, each of which is designed to be occupied as a separate permanent residence for one (1) household or family.

Dwelling, Caretaker. A permanent residence for the owner or persons employed on a site for purposes of care and protection of persons, property, plants, animals, equipment or other circumstances on site or on contiguous lots under the same ownership.

Dwelling, Detached. A structure containing one (1) dwelling unit.

Dwelling, Established Multi-Family. A residential structure within a single-family or two-family residential district that has been legally utilized as a multi-family structures for a minimum of 50 years.

Dwelling, Established Two-Family. A residential structure within a single-family residential district that has been legally utilized as a two-family structure for a minimum of 50 years.

Dwelling, Multi-Family. A dwelling designed for occupancy by three (3) or more families. A multi-family dwelling does not include a townhouse dwelling.

Dwelling, Single-Family. A dwelling designed for occupancy by no more than one (1) family.

Dwelling, Townhouse. A structure consisting of no less than three (3) dwelling units, with no other dwelling or portion of other dwelling located directly above or below, where each unit has a separate entrance and direct ground level access to the outdoors. These units are connected to other dwelling units by a single party wall with no opening. A townhouse dwelling does not include a multi-family dwelling. A townhouse dwelling refers to the design of a structure and does not reflect the type of ownership of the individual units.

Dwelling, Two-Family. A dwelling designed for occupancy by two (2) families.

Dwelling Unit. A room, or group of rooms, providing complete, independent living facilities, including permanent provisions for living, sleeping, eating, cooking and sanitation for one or more persons.

Eave. The projecting edges of a roof overhanging the wall of a structure.

Eco-District. A project planned and designed to integrate the objectives of sustainable development and reduce the ecological footprint of the project.

Educational Facility, Primary. A public, private, or parochial school offering instruction at the elementary and/or junior high school levels. Places of worship with primary educational facilities are classified as primary educational facilities so long as both uses are located on the same lot, even if in separate buildings. An “Educational Facility, Primary” includes ancillary uses that serve the student population, such as cafeterias and retail goods establishments.

Educational Facility, Secondary. A public, private, or parochial school offering instruction at the senior high school level. Secondary educational facilities also include secondary theological schools for training ministers, priests, or rabbis. Places of worship with secondary educational facilities are classified as secondary educational facilities so long as both uses are located on the same lot, even if in separate buildings. An “Educational Facility, Secondary” includes ancillary uses such as cafeterias and retail goods establishments.

Educational Facility, University. A post-secondary institution for higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. University educational facilities also include post-secondary theological schools for training ministers, priests, or rabbis. University educational facilities do not include vocational educational facilities. An “Educational Facility, University” includes ancillary uses such as cafeterias, restaurants, and retail goods establishments.

Educational Facility, Vocational. A school that teaches industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), commercial, or artistic skills, or a school conducted as a commercial enterprise, such as a driving school or school for general educational development (GED). This definition applies to privately operated schools that do not offer a complete educational curriculum. Vocational educational facilities do not include university educational facilities. An “Educational Facility, Vocational” includes ancillary uses that serve the student population, such as cafeterias, restaurants, and retail goods establishments.

Emergency Shelter. A facility that provides temporary or transitional shelter for the homeless in general or for specific populations of the homeless.

Employment Services. A business that provides employment services for temporary or transient employment of semi-skilled and unskilled workers, and typically operates as a labor pool where workers gather on-site for job placement.

Enclosed Structure. A structure having no outside openings, other than doors, windows, and ventilators.

Encroachment. The extension or placement of any structure or component of a structure into a required yard or, when permitted by the City, into the public right-of-way.

Erect. To build, construct, attach, hang, place, suspend, or affix.

Exterior Insulation. A multi-layer exterior wall cladding that utilizes rigid insulation boards and exterior finishes attached to the exterior of a building to improve insulation and manage solar heat gain as an element of building-wide heating and cooling improvements.

Façade, Primary. The building face(s) that directly face a street frontage or public right-of-way.

Fairgrounds. An area of land used for exhibitions and shows including, but not limited to concerts, animal shows, carnivals, concerts, and other outdoor recreational events. Unless otherwise restricted by this Ordinance, fairgrounds may serve alcoholic beverages as an ancillary use but only when the fairgrounds are open to the public for an event.

Family: An individual or two (2) or more persons who are related by blood, marriage, or registered domestic partnership, living together and occupying a single housekeeping unit with single culinary facilities, or a group of not more than four (4) persons living together by joint agreement and occupying a single housekeeping unit with single culinary facilities. Notwithstanding the above, domestic servants, employed and residing on the premises shall be considered as part of the family.

Farmers Market. The offering for sale of produce or processed, packaged, or prepared food on pre-established dates in an open area or in a structure, subject to the procedures and regulations set forth in this Ordinance and the City Code. The individual sellers need not be the same each time the market is in operation.

Fence. An artificially constructed barrier of wood, masonry, stone, wire, metal, or a combination of materials erected to enclose, screen, or separate areas.

Fence, Opaque. See “Fence, Solid.”

Fence, Open. A fence, including any gates, designed, and constructed so that the surface area of any segment of the fence is at least fifty percent (50%) open.

Fence, Solid. A fence, including any gates, made entirely of opaque material. Chainlink fence with slats are not considered solid fences. Shadowbox fences are considered solid fences. Also called an “opaque fence.”

Filter Strip. A buffer strip of vegetation, generally narrow and long, that slows the rate of stormwater runoff, allowing sediments, organic matter, and other pollutants to be removed by settling out into the underlying soils.

Financial Institution. A bank, savings and loan, credit union, or mortgage office. A financial institution does not include check cashing, pay day loan, or title loan establishments.

Fishing Camp. Areas reserved for public or private fishing, and structures in support of those activities, excluding transient rentals.

Fire Escape. A fireproof stairway, ladder, or chute on the outside wall of a structure intended to help occupants escape from the structure in case of fire or other emergency.

Flagpole. A freestanding structure or a structure attached to a building used for the sole purpose of displaying flags.

Floor Area Ratio (FAR). The gross floor area of a structure on a lot divided by the area of the lot.

Floor Height. Floor height shall be measured from floor to floor (not floor to ceiling) and allow for mechanical equipment above the ceiling.

Food Processing. A facility for the preparation, processing, canning, or packaging of food products. Small food processing facilities may include areas for ancillary retail sales or specialty restaurants of the products processed on-site, but no alcoholic beverages are sold. Food processing does not include a brewery or winery.

Footcandle. A unit of illumination equivalent to the illumination at all points that are one (1) foot distant from a uniform source of one (1) candlepower.

Force Majeure. An extraordinary event or circumstance beyond the control of a person or persons, such as a war, strike, riot, crime, fire, or an event described by the legal term as an act of God such as hurricane, flooding, etc.

Forest/Nature Preserve. Designated and managed open space that preserves natural features and protects wildlife and critical environmental features. A forest/nature preserve may include opportunities for passive recreation and environmental education.

Fraternity/Sorority. A structure used by a chartered fraternal or sororal membership organization or association, used as a residence or a dining and recreational facility for members of organizations or associations who are students at a university, which permits the organization or association to use its facilities because of the relationship of such organization or association to the body of students enrolled in such institution. Fraternities/sororities shall be incorporated under the laws of Louisiana as a non-profit corporation or registered with the Secretary of State of Louisiana.

Freight Terminal. A facility for freight pick-up or distribution by rail, air, truck, or shipping transport.

Frontage. The property abutting on one (1) side of a street between two (2) intersecting streets. If the street dead-ends, then frontage is considered all the property abutting on one (1) side of the street and the point at which the street dead-ends.

Future Land Use Map. A map within the “Plan for the 21st Century” (Master Plan) that shows the distribution of various land use categories (residential, commercial, industrial, mixed-use) desired in the future.

Gallery. A platform which projects from the exterior wall of a building, is exposed to the open air and remains unenclosed, has direct access to the interior of the building, is supported from the ground by columns or poles, and is surrounded by a parapet, railing, or balustrade.

Game. Any banking or percentage game located exclusively within an official gaming establishment that is played with cards, dice, or any electronic, electrical, or mechanical device or machine for money, property, or any thing of value. Game does not include lottery, bingo, charitable games, pull tabs, raffles, electronic video bingo, cable television bingo, dog race wagering, horse wagering, or any wagering on any type of sports event, inclusive but not limited to, football, basketball, baseball, hockey, boxing, tennis, wrestling, jai alai, or other sports contest or event.

Gaming or Gambling. The dealing, operating, carrying on, conducting, maintaining, or exposing for pay of any game.

Gaming Device/Gaming Equipment. Any equipment or mechanical, electro-mechanical, or electronic contrivance, component, or machine, including an electronic gaming device, or a slot machine used directly or indirectly in connection with gaming or any game, which affects the result of a wager by determining win or loss. Gaming device/gaming equipment includes a system for processing information that can alter the normal criteria of random selection, which effects the operation of any game, or which determines the outcome of a game. Gaming device/gaming equipment does not include a system or device that affects a game solely by stopping its operation so that the outcome remains undetermined.

Garage, Detached. A detached accessory structure designed or used for storage of motor vehicles, that does not contain habitable space.

Gas Station. An establishment where flammable or combustible liquids or gases used as fuel for motor vehicles are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Gas stations may include electronic charging stations for automobiles.

Gazebo. A freestanding outdoor structure designed for recreational use and not for habitation. Gazebos may be open-sided or screened, but in no case may such screening be opaque.

Geothermal. Mechanical equipment that transfers thermal energy to and/or from the ground for the purposes of heating and/or cooling a building or for utility purposes. A geothermal energy system consists of a closed-loop system of pipes filled with liquid, a heat exchanger, and a heat pump.

Golf Course. A tract of land laid out with at least nine (9) holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, and shelters as ancillary uses. A driving range may be included as part of a golf course.

Government Offices. Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public.

Grade. A plane constituting the average of the finished ground level adjoining a building at its exterior walls. Where the finished ground level slopes away from one or more of the exterior walls of a building, the grade shall be established by the lowest points within the area between the building walls and the nearest lot lines. Where one or more lot line is more than six (6) feet from the building, the grade shall be established using the lowest point between the building wall and a point six (6) feet away from and perpendicular to the building wall.

Green Design. Design of structures that emphasizes sustainable principals including, but not limited to, efficiency of heating and cooling systems, alternative energy sources, appropriate building siting, reused or recycled building materials such as shipping containers, on-site power generation, rainwater harvesting, and on-site waste management such as green roofs.

Green Roof. A roof of a structure covered or planted with vegetation and layers of soil to support the vegetation, to minimize negative impacts on the environment, reduce the amount of pollution, and improve the thermal efficiency of the roof to conserve energy and reduce energy costs.

Greenhouse/Nursery. A business whose principal activity is the selling of plants grown on the site and may include outside storage, growing, or display.

Greywater. Wastewater generated from domestic activities such as laundry, dishwashing, and bathing that can be recycled on-site for other uses.

Groin (Groyne). A small jetty extending from a shore used to prevent erosion.

Gross Floor Area. The sum of the gross horizontal areas of all floors of a structure, measured from the exterior faces of exterior walls or from the centerline of walls separating two (2) attached buildings.

A. Gross floor area includes:

1. Basements that provide structural headroom of seven (7) feet or more.
2. Elevator shafts or stairwells at each floor.
3. Floor space used for mechanical equipment.
4. Floor space in penthouses.
5. Attics, whether or not a floor has been laid, providing structural headroom of seven (7) feet or more.
6. Floor space in interior balconies or interior mezzanines.
7. Floor space in accessory structures.
8. Floor space in enclosed porches.
9. Any floor space used for residential use, no matter where such floor space is located within the structure.

10. For commercial uses, balconies, galleries, covered or uncovered patios, decks, and commercial leased space.
11. For commercial uses, any outdoor space, whether covered or uncovered, which is used for seating, performance, or similar activities.
12. Floor space within an enclosed structure.

B. Gross floor area does not include:

1. Accessory water tanks or cooling towers.
2. Exterior balconies on residential uses.
3. Uncovered steps.
4. Basements and attics, whether or not an attic floor has been laid, providing structural headroom of less than seven (7) feet.
5. Floor space used for required accessory off-street parking spaces.
6. Galleries located in residential uses, through arcades and breezeways.
7. Accessory flat roof features as provided in Section 21.6.

Group Home. A group care facility in a residential dwelling, licensed by the state, for twenty-four (24) hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. Group homes include youth transitional residences, adult residential care facilities, emergency child shelters, and child residential care facilities licensed by the state.

- A.** Small group homes: Up to six (6) residents
- B.** Large group homes: Seven (7) to fifteen (15) residents
- C.** Congregate group homes: Sixteen (16) or more residents

Habitable Space. A space in a building for living, sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

Health Club. An establishment that provides health and fitness facilities such as running, jogging, aerobics, weight lifting, court sports, and swimming, and may include ancillary facilities such as locker rooms, showers, massage rooms, saunas, sales of related health equipment and clothing, juice bars, and other related uses.

Heavy Sales, Rental, and Service. Retail, rental, and/or service establishments of a heavier commercial character typically requiring permanent outdoor service or storage areas or partially enclosed structures. Examples of heavy sales, rental, and service establishments include large-scale home improvement centers with outdoor storage and display and rental components, lumberyards, truck rental establishments, and sales, rental, and repair of heavy equipment.

Hedge. A row of closely planted shrubs, bushes, or any kind of plant forming a boundary.

Heliport. Land, water, or structures used for the landing and take-off of helicopters, and having service facilities for such aircraft or providing for permanent basing of such aircraft.

Helistop. Land, water, or structures used for the landing and take-off of helicopters with no facilities for service or permanent basing of such aircraft.

Holiday Sales Lot. A retail sales operation, generally conducted outdoors, that offers for sale on a temporary, limited basis holiday-related items such as pumpkins, Christmas trees, wreaths, Christmas tree stands, and other holiday-related items.

Home Occupation. Any occupation conducted within a residential dwelling and clearly incidental to the residential use carried on by a resident of the premises.

Horse Stables (Commercial). Any structure or land used, designed, or arranged for the shelter, maintenance, or rental of horses.

Hospital. A structure or group of structures used for providing services for the inpatient medical or surgical care of the sick or injured, which typically includes related facilities such as outpatient clinics, diagnostic and treatment facilities, laboratories, central services, and offices. A hospital may also include ancillary uses such as retail goods establishments and restaurants, provided that such facilities are incidental and subordinate to the main use and are part of the hospital structure.

Hospitality Center. A facility where visitors can find information related to the City of New Orleans and its neighborhoods, and may include restrooms, seating areas, and historical displays.

Hostel. An establishment providing sleeping accommodations for a fee in a sociable accommodation where guests can rent a bed in a dormitory and share bathroom, lounge, and kitchen facilities.

Hotel/Motel. An establishment providing a room for sleeping accommodations for a fee with private bathroom facilities and customary lodging services. Related ancillary uses may include, but are not limited to, conference and meeting rooms, restaurants, sale of convenience items, bars, and recreational facilities.

Impervious Surface. A measure of intensity of land use that represents the portion of a site that is occupied by structures, pavement, and other impervious surfaces that do not allow for the absorption of water. Semi-pervious surface areas (e.g. permeable paving) may be counted as impervious surface at a reduced rate based on the coefficient of permeability. Unroofed, unenclosed accessory structures, where water is allowed to drain to a pervious surface, such as decks constructed of wood slats, are not included in impervious surface calculations.

Incinerator. Any enclosed device using controlled flame combustion, capable of withstanding heat, and designed to efficiently reduce solid, semisolid, liquid, or gaseous waste at specified rates and from which residue contains little or no combustible material, as defined in Louisiana Administrative Code (LAC).

Incinerator, Nonindustrial (Type II-A). A facility used for processing residential or commercial solid waste.

Incompatible Use. A use that is incapable of direct association with certain other uses in its immediate vicinity because it is contradictory, incongruous, or discordant with surrounding uses, or will change the essential character of a neighborhood.

Increase in Intensity. An increase in the concentration of activity on a property including an increase in gross floor area or the number of dwelling units, expanded hours of operation, provision of additional services, and the addition of the sale of alcoholic beverages. In the case of nonconforming uses, any increase above and beyond the status quo is considered an increase in the intensity of use.

Indoor Amusement Facilities. Spectator and participatory uses conducted within an enclosed building, such as movie theaters, bowling alleys, pool halls, arcades, and indoor sporting exhibitions. Indoor amusement facilities do not include stadiums, arenas, or live performance venues. Indoor amusement facilities may include ancillary uses such as snack bars or restaurants for the use of patrons but do not serve alcoholic beverages. However, if a standard restaurant, live entertainment – secondary use, or bar is allowed within the district, such uses may be included as part of the indoor amusement facility so long as separate approval is obtained for the standard restaurant, live entertainment – secondary use, or bar.

Intensity. Concentration of activity on a lot and the extent to which a lot is developed in conformity with this Ordinance.

Kennel. An establishment where dogs over six (6) months of age are boarded, bred, raised, and trained for commercial gain.

Land Banking. Designating land on a site to be undeveloped, but held and preserved for an identified future purpose, such as additional parking.

Levee. A natural or artificial slope or wall used to regulate water levels.

Light Trespass. The spilling of light, whether directly, indirectly, or by glare, onto a lot, parcel, or public way other than the lot or parcel on which the light fixture is located.

Lighting, Shielded. A fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

Lighting, Unshielded. A fixture that allows light, either directly from the lamp or indirectly from the fixture or a reflector, to be emitted above the horizontal plane running through the lowest point on the fixture where light is emitted.

Live Entertainment – Secondary Use. Any one (1) or more of any of the following live performances, performed live by one (1) or more persons, whether or not done for compensation and whether or not admission is charged: musical act, theatrical play or act, including stand-up comedy, magic, dance clubs, and disc jockey performances using vinyl records, compact discs, computers, or digital music players when the disc jockey is in verbal communication with the clientele of the establishment. Live entertainment - secondary use shall be part of a standard restaurant, specialty restaurant, indoor amusement facility or bar, and shall be approved separately. A standard restaurant, specialty restaurant, indoor amusement facility, or bar may be open to the public when no live performances are scheduled. Live entertainment - secondary use does not include:

- A. Any such activity performed for the practice or private enjoyment of the residents of a dwelling and their guests.
- B. Any adult uses.
- C. Periodic entertainment at educational facilities or places of worship, performances at cultural facilities, performances at reception facilities, performances at weddings or similar religious events, the playing of recorded music over speakers without a disc jockey, poetry readings, or spoken word performances.
- D. Musical accompaniment for patrons at a restaurant (standard or specialty), in conformance with the following use standards:
 - 1. During the performance of any musical accompaniment, all doors and windows in the restaurant shall remain closed. Any amplification used in support of a musical

accompaniment shall be directed towards the patrons of the restaurant, and not toward any door, window or outdoor space.

2. No cover charge shall be charged for any performance of any musical accompaniment.
3. Full restaurant service shall continue during the performance of any musical accompaniment.
4. No more than ten percent (10%) of a restaurant's seating area may be dedicated to a staging area for any performance of musical accompaniment.
5. Aside from the portion of the restaurant seating area dedicated to the staging of the musical accompaniment, no restaurant seating may be removed or relocated during the performance in order to accommodate an audience and/or dance area.
6. Performance of the musical accompaniment shall not be permitted beyond 10:00 p.m. on Sundays through Wednesdays, or beyond midnight on Thursdays through Saturdays.
7. Musical accompaniment shall only be performed in the interior of a restaurant; outdoor musical accompaniment shall be subject to the general Live Entertainment – Secondary Use regulations, as applicable.

Any musical accompaniment for patrons at a restaurant that is not in conformance with the above standards shall be included within the definition of Live entertainment – Secondary Use above, and shall be subject to the applicable regulations. Notwithstanding anything herein to the contrary, any musical accompaniment for patrons at a restaurant within any Vieux Carré District shall be included within the definition of Live Entertainment – Secondary Use.

Live Performance Venue. An indoor facility for the presentation of live performances, including musical acts, theatrical plays or acts, stand-up comedy, magic, dance clubs, and disc jockey performances using vinyl records, compact discs, computers, or digital music players. A live performance venue is only open to the public when a live performance is scheduled. Unless otherwise restricted by this Ordinance, a live performance venue may serve alcoholic beverages as an ancillary use but only when the venue is open to the public for the live performance. A live performance venue does not include any adult uses.

Livestock. The domesticated animals kept or raised as part of an agricultural use for the production of food for sale or commercial use, including cattle, llamas, mules, swine, sheep, goats, rabbits, chickens and various birds, and fish. No wild, exotic, vicious, or ferocious animal, as defined in Chapter 18 of the Code of the City of New Orleans or as determined by the Director of the Department of Health, may be interpreted to be livestock. The Director of the Department of Safety and Permits may issue a written interpretation regarding the classification of any animal as livestock, but shall request and consider written input from the Director of the Department of Health prior to rendering such interpretation.

Loading Space. A space within a principal building or on the same lot as a principal building, providing for the standing, loading or unloading of trucks.

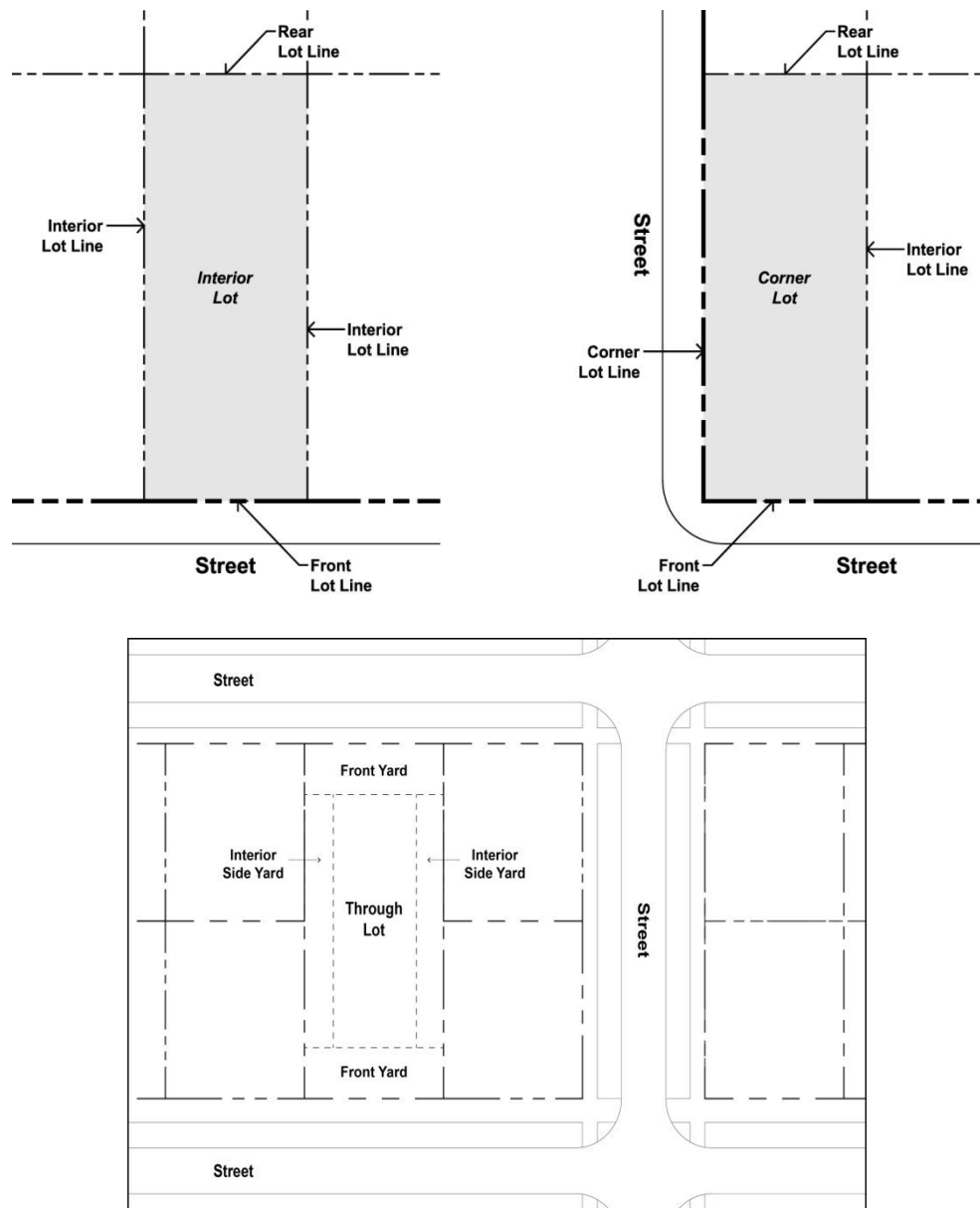
Logo. A business trademark or symbol.

Lot. A portion of land with fixed boundaries, that is developed or that may be developed with a principal building and any accessory structures, together with open space and parking areas, and having its principal frontage upon an officially approved street.

Lot Area. The computed total area contained within the lot lines bounding a lot.

Lot, Corner. A lot that abuts two (2) or more streets at their intersection. (See Figure 26-8: Lot Types and Lot Lines)

FIGURE 26-8: LOT TYPES AND LOT LINES



Lot Coverage. The area of the lot covered by a structure.

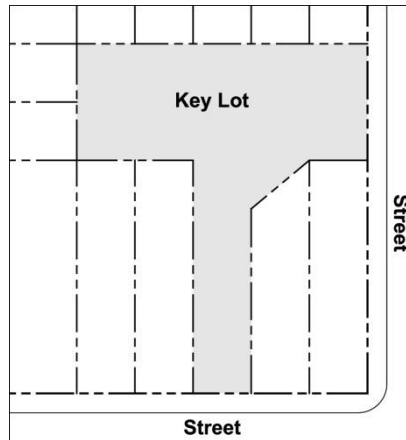
Lot, Depth. The average horizontal distance between the front and rear lot lines.

Lot, Through. A lot having a frontage on two (2) approximately parallel streets.

Lot, Interior. A lot other than a corner lot. (See [Figure 26-8](#))

Lot, Key. A lot shaped and designed that the principal building area is set back from the public right-of-way on which it fronts, and includes a narrow access corridor connecting the main building area with the public right-of-way. For a key lot, the lot width dimension is measured at the widest dimension of the lot and yard dimensions are calculated from that point of the lot. (See [Figure 26-9: Key Lot](#))

FIGURE 26-9: KEY LOT



Lot Lines. The property lines bounding a lot. (See [Figure 26-8: Lot Lines](#))

Lot Line, Corner Side. The boundary of a lot that abuts a street. For the purposes of this Ordinance, the corner side lot line of a corner lot is the longer boundary line of the lot that abuts a street. (See [Figure 26-8](#))

Lot Line, Front. The boundary line of a lot that abuts a street. For the purposes of this Ordinance, the front lot line of a corner lot is the shorter boundary line of the lot that abuts a street. (See [Figure 26-8](#))

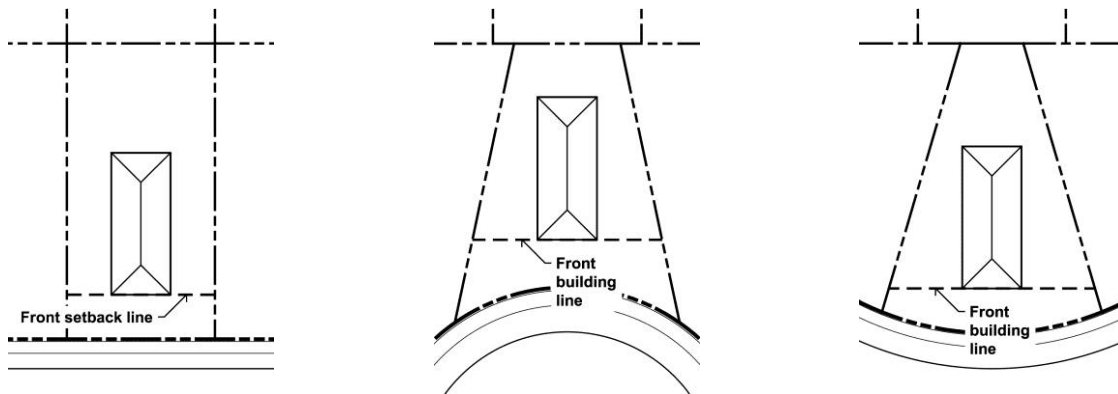
Lot Line, Interior Side. The boundary line of a lot that does not abut a street or alley. (See [Figure 26-8](#))

Lot Line, Rear. The boundary line of a lot that is most distant from and is, or is approximately, parallel to the front lot line. (See [Figure 26-8](#))

Lot Line, Side. The boundary line of a lot that is not a front lot line or a rear lot line. A side lot line may be an interior side lot line or a corner side lot line (See [Figure 26-8](#))

Lot Width. The average horizontal distance between side lot lines measured at the required front yard and parallel to the front property line, or measured at the front property line if no front yard is required. For cul-de-sac lots or pie-shaped lots, lot width is measured at the front building line of the structure between side lot lines. (See [Figure 26-10: Lot Width](#))

FIGURE 26-10: LOT WIDTH



Luminaire. A lighting unit extending from a support structure, parallel to the ground, consisting of a light source and all necessary mechanical, electrical and decorative parts. A luminaire does not include a pole or other support.

Manufacturing, Artisan. A manufacturing establishment for artisan-related crafts that are more intensive uses, such as small-scale metalworking, glassblowing, furniture making, pottery, leathercraft, hand-woven articles, and related items.

Manufacturing, Heavy. The manufacturing or compounding of raw materials, which may include the storage of large volumes of finished and raw materials that are highly flammable, toxic or explosive. This manufacturing may involve outdoor operations as part of their manufacturing process. Typical heavy industrial uses include, but are not limited to: concrete batch plants, concrete, tile, or brick manufacturing, motor vehicle and tire assembly, chemical processing, metal casting or foundries, gas manufacturing, grain milling or processing, refining, smelting, or alloying, and petroleum or petroleum products. Heavy manufacturing processes ordinarily have greater than average impacts on the environment or significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, vibration, glare, or health and safety hazards.

Manufacturing, Light. The manufacturing from previously prepared materials of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales and distribution of such products, provided all manufacturing activities are contained entirely within a building and noise, odor, smoke, heat, glare, and vibration resulting from the industrial activity are confined entirely within the building.

Manufacturing, Maritime-Dependent. Industrial uses with maritime dependent facilities that include, but are not limited to, facilities associated with marine terminals for the storage of goods transported in waterborne commerce, manufacturing facilities relying on the bulk receipt of shipments of goods by waterborne commerce, wharves, piers, docks, and storage facilities for the commercial fishing industry, dry docks and other facilities related to the construction, servicing, storage, maintenance, or repair of vessels and other marine structures, facilities for tow boats, barges, dredges, ferries, commuter boats, water buses, water taxis, or other vessels engaged in waterborne commerce, port operations, or marine construction, and manufacturing that requires large quantities of water drained from or into rivers or lakes.

Mardi Gras Den. A warehouse used for the construction, maintenance, repair, and storage of Mardi Gras floats.

Marina, Commercial. A place for docking or storage of commercial boats and/or providing services for them, limited to minor repairs to boats while in the water for a maximum thirty (30) day period, and the sale of fuel, ice, food and beverages. No lodging for the occupants, other than the manager or owner of the commercial marina or entertainment, are permitted as accessory to the marina. Vehicular access to the site is limited to automobiles, pick-up trucks, and vans with a maximum load capacity of one (1) ton. The sale or processing of seafood at the marina site is expressly prohibited with the exception of bait that may be sold by the operator. The marina shall be kept free of noxious odors at all times. Repair facilities for repairs of boats out of water are prohibited.

Marina, Recreational. A place for docking or storage of pleasure boats or providing services to pleasure boats and the occupants thereof, including minor servicing and repair to boats while in the water, sale of fuel and supplies, or provision of lodging, food, beverages, and entertainment as accessory uses. A yacht club is considered a recreational marina. A hotel/motel, or similar use where docking of boats and provision of services thereto is incidental to other activities, is not considered a recreational marina. Boat docks accessory to a multi-family dwelling where no boat-related services are rendered are not considered a recreational marina, but an accessory use to the multi-family dwelling.

Marine Terminal. A facility, including docks, piers, wharves, and storage sheds used for waterborne commodities, and rail and truck facilities servicing or related to a marine terminal.

Marine Fuel Dock Facility: A business where flammable or combustible liquids or gases used as fuel for marine vessels are stored and dispersed from fixed equipment into the fuel cells of marine vessels. Marine Fuel Dock Facilities may also include automotive oriented fueling, boat launching and retail (convenience items and parts) uses.

Maritime Use. Water-dependent uses, such as general cargo operations, tour boats, cruise boats, and docking of vessels.

Marquee. A permanent roof-like structure constructed of durable material extending from the wall of a structure with no supports extending to the ground. (See [Figure 26-11: Marquee](#))

FIGURE 26-11: MARQUEE



Masonry Wall. An artificially constructed barrier of brick, stone, or stucco erected to enclose, screen, or separate areas that is completely opaque.

Massage Establishment. A personal service establishment wherein massage is practiced as a major use occupying more than twenty-five (25) percent of the floor area of the subject establishment. Massage establishments may also be known commonly as massage studios or massage parlors.

Master Plan. The “Plan for the 21st Century,” commonly referred to as the Master Plan, is a City Charter-mandated planning framework for the core systems that shape New Orleans’ physical, social, environmental, and economic future.

Medical/Dental Clinic. A facility operated by one (1) or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical clinics also include alternative medicine clinics, such as acupuncture and holistic therapies, non-residential abuse addiction treatment facilities, and physical therapy offices for physical rehabilitation.

Memorial Plaque. A sign, tablet, or plaque memorializing a person, event, structure, or site.

Micro-Brewery. A facility licensed as a “Microbrewer” as defined in Title 26, Section 241, of the Louisiana Revised Statutes. The facilities may include an on-site tasting room with retail sales of alcoholic beverages for consumption on or off the premises. An on-site tasting room with retail sales of only those alcoholic beverages produced at that facility shall be a permitted accessory use, subject to the use and parking standards of a bar and any limitations provided for in state law. An on-site tasting room with retail sales of alcoholic beverages purchased from a licensed wholesale dealer shall be considered to be a bar for the purposes of this Ordinance. The facilities may also include other uses such as a standard restaurant, bar, or live entertainment as permitted in the zoning district, subject to the use standards of Article 20, parking standards of Article 22, and any limitations provided for in state law.

Micro-Distillery. A facility licensed as a “Microdistiller” as defined in Title 26, Section 2, of the Louisiana Revised Statutes. The facilities may include an on-site tasting room with retail sales of alcoholic beverages for consumption on or off the premises. An on-site tasting room with retail sales of only those alcoholic beverages produced at that facility shall be a permitted accessory use, subject to the use and parking standards of a bar and any limitations provided for in state law. An on-site tasting room with retail sales of alcoholic beverages produced at that facility any any other alcoholic beverages purchased from a licensed wholesale dealer shall be considered to be a bar for the purposes of this Ordinance. The facilities may also include other uses such as a standard restaurant, bar, or live entertainment as permitted in the zoning district, subject to the use standards of Article 20, parking standards of Article 22, and any limitations provided for in state law.

Mini-Warehouse. A structure that rents individual compartments for the purpose of storing personal property.

Mining and Drilling Activities. Any pursuit or occupation associated with an area of land where operations are conducted to extract valuable mineral deposits, petroleum, or other materials.

Mobile Food Truck. A double-axle vehicle that is completely mobile with no permanent fixed location, the vendor of which prepares all or most of its victuals on-board the vehicle to serve or distribute to its customers, in a form suitable for immediate ingestion or consumption. This definition excludes vendors selling only fresh, uncooked, or unprepared produce or seafood, or farmers selling their own produce or value-added products (oils, jams, jellies, etc.) directly to customers from their vehicles. Vendors selling only fresh, uncooked, or unprepared produce or seafood, or farmers selling their own produce or value-added products (oils, jams, jellies, etc.) shall be regulated by the City Code.

Motor Vehicle. A self-propelled wheeled vehicle designed for transportation of persons or goods along public streets.

Motor Vehicle Dealership. An establishment that sells or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, boats, or motorcycles, or other similar motorized transportation vehicles. A motor vehicle dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

Motor Vehicle Operations Facility. A privately-owned facility for the dispatch, storage and maintenance of emergency medical care vehicles, taxicabs and other livery vehicles. A motor vehicle operations facility does not include facilities where the vehicles of the fire, police, or other municipal departments are dispatched, stored, and/or maintained, which are considered either public safety or public works facilities.

Motor Vehicle Rental Establishment. Rental of passenger vehicles, vans, and light trucks, including incidental parking and servicing of rental vehicles. Car sharing services included as part of a parking lot or structure are not considered motor vehicle rental establishments.

Motor Vehicle Service and Repair, Major. A business involved in engine rebuilding, major reconditioning of worn or damaged motor vehicles or trailers, towing and collision service, including body, frame or fender straightening or repair, and painting of motor vehicles. The business may also include the sale of tires, including tire installation.

Motor Vehicle Service and Repair, Minor. A business that includes, but is not limited to, minor repairs to motor vehicles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like. The business may also include the sale of tires, including tire installation.

Movie Studio. A built or renovated space for film and video production of motion pictures, including sound stages, recording facilities, film laboratories, construction mills, repair and storage facilities, and related uses.

Mural. A work of art painted or otherwise applied to or affixed to an exterior wall surface that does not include any on- or off-premise commercial advertising.

Nameplate. A sign that identifies the individual or company who owns or works within a structure.

Neighborhood Commercial Establishment. A commercial use within a residential neighborhood that is non-residential in its original construction and use.

Noise Abatement Plan. A plan for implementing noise control measures, including but not limited to, ceiling/wall/floor sound isolation, sound absorptive wall treatments, acoustical doors and windows, audio compressors and limiters, directional loudspeakers, noise barriers, and sound absorbing landscaping, for the purpose of controlling and/or reducing the impacts of a particular development on adjacent uses.

Nonconforming Lot. A lot that does not meet the zoning district requirements for lot area, lot width, or lot depth of this Ordinance.

Nonconforming Structure. A structure that fails to meet the proper bulk and dimensional regulations, including, but not limited to, floor area, open space, height, and yard requirements contained in the current Ordinance. A legal nonconforming structure is a structure that legally existed prior to enactment of the current Ordinance and was legally maintained after the effective date of the Ordinance.

Nonconforming Use. The use of a structure or land that does not comply with the use restrictions of the applicable zoning district. A legal nonconforming use is a use that legally existed prior to the enactment of the current Ordinance and was legally maintained after the effective date of the Ordinance.

Off-Street Parking. The storage space for a motor vehicle on a lot, not including parking spaces on streets, alleys, or rights-of-way.

Off-Track Betting Facility. An establishment that accepts wagers on horse and dog races away from a racetrack.

Office. A use that engages in the processing, manipulation, or application of business information or professional expertise. An office may or may not offer services to the public and is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, with the exception of prototype development, nor engaged in the repair of products or retail services. It is characteristic of an office use that retail or wholesale goods are not shown on the premises to a customer. Examples include, but are not limited to, professional offices for non-profit organizations, advertising, accounting, investment services, insurance, contracting, architecture, planning, engineering, legal services and real estate services. An office does not include government offices, which are a separate use.

On-Street Parking. The storage space for a motor vehicle that is located on the street right-of-way.

Open Space. Those areas of a lot open and unobstructed from grade level upward, unless otherwise permitted by this Ordinance. Mechanical equipment, dumpsters, or service areas are prohibited in required open space areas. For townhouse and multi-family dwellings that are required to provide open space for each dwelling unit, open space may include areas on decks, balconies, uncovered porches, and roofs that are accessible and usable by occupants. When located at ground level, the required open space area shall be substantially covered with grass, live groundcover, shrubs, plants, trees, or usable outdoor hardscape features or amenities, such as seating areas, patios, or pools. Off-street parking and loading areas, driveways or required landscape for parking lots and screening do not satisfy open space requirements. Bollards, curbs, wheel stops, or other similar features shall be provided to ensure that required open space areas are not used for off-street parking or any other vehicular use.

Open Space Ratio. The open space on the lot divided by the ground floor area of any structures on the lot.

Outdoor Amphitheater. An outdoor structure that accommodates an audience for concerts, public speaking, or other live entertainment, which is open to the general public, with or without an admission charge. An outdoor amphitheater includes band shell structures.

Outdoor Amusement Facility. Participatory and spectator uses conducted outdoors, which may include partially enclosed facilities. Typical uses include, but are not limited to, miniature golf courses, batting cages, archery ranges, outdoor racetracks, theme parks, and amusement parks. An outdoor amusement facility includes ancillary uses, such as food stands, snack bars, or restaurants for the use of patrons, but do not serve alcoholic beverages.

Outdoor Dining. A seating area located outside of a contiguous restaurant or bar, typically in addition to an indoor seating area.

Outdoor Fireplace. A self-contained, manufactured noncombustible cooking unit provided with a tight-fitting screen or lid and supported off the ground by non-combustible legs.

Outdoor Sales and Display. Part of a lot used for outdoor sales or display of goods accessory to the principal use.

Outdoor Storage. The keeping of goods, material, merchandise or equipment outside of an enclosed building. An item is deemed to be in storage if it is being maintained or repaired on a premises.

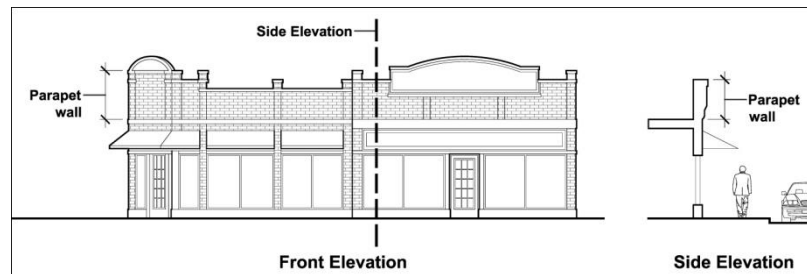
Outdoor Storage Yard. The storage of material as a principal use of the lot for more than twenty-four (24) hours, including items for sale, lease, processing, and repair not in an enclosed building. Items

stored within an outdoor storage yard shall be owned, consigned, or leased by the owner of the storage yard.

Outlot. Within a shopping center development, a lot located on the perimeter of the development site maintained as open space or developed separately from the shopping center development.

Parapet Wall. That portion of a wall that extends above the roofline. (See [Figure 26-12: Parapet Wall](#))

FIGURE 26-12: PARAPET WALL



Parking Lot. An open, hard-surfaced area, other than a street or public way, used for the storage of operable passenger or commercial motor vehicles for limited periods of time. Parking may be available for residents, visitors, employees, clients, customers, or similar users whether for compensation or at no charge.

Parking Structure. A structure composed of one (1) or more levels or floors used for the parking or storage of motor vehicles.

Parking Pad. An off street parking area, adjacent to a driveway, which provides parking for a single motor vehicle.

Parks and Playgrounds. A non-commercial, not-for-profit facility designed to serve the recreation needs of the residents of the community. Parks and playgrounds include, but are not limited to, ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, skateboard parks, playgrounds, beaches, and park district field houses, which may have indoor recreation facilities.

Party Wall. A wall starting from the foundation and extending continuously through all stories to or above the roof that separates one (1) structure from another but is in joint use by each structure.

Passenger Terminal. A facility or location where the principal use is handling, receiving, and transferring passenger traffic for aircraft, rail, buses, and watercraft.

Passenger Transit Wait Station. A transit stop that is typically located on-street at the curb or in a median, designed with a shelter, sign, and/or lighting.

Passive Recreation. Recreational activities that generally do not require a specially developed open space site. This includes, but is not limited to, activities such as hiking, running trails, playgrounds, and picnicking.

Patio. A surface at finished grade designed and intended for recreational use by people and not used as a parking space. A patio is distinguished from a deck or terrace in that a deck or terrace is a raised surface constructed above grade.

Pawn Shop. An establishment that lends money on the deposit or pledge of physically delivered personal property, and who may also purchase such property on the condition of selling it back again at a stipulated price. A pawn shop includes establishments that buy personal property, such as jewelry or artwork, made of gold or other valuable metals for refining. Consignment shops and antique shops are not considered pawn shops.

Payday or Title Loan Agency. An establishment providing loans to individuals in exchange for receiving personal checks or titles to the borrowers' motor vehicles as collateral.

Penthouse. An enclosed structure above the roof of a building, other than a roof structure or bulkhead. A penthouse may be used only for the shelter of mechanical equipment or vertical shaft openings in the roof. For the purposes of this Ordinance, a penthouse does not include residential dwelling units.

Performance Standards. Criteria used to control noise, odor, smoke, toxic, or noxious matter, vibration, fire and explosive hazards, glare, or heat generated by or inherent to use of land or structures.

Pergola. A shaded walk or passageway of columns that support crossbeams and a sturdy open lattice that may support vines or climbing plants. (See [Figure 26-13: Pergola](#))

FIGURE 26-13: PERGOLA



Permanent Supportive Housing. A facility that provides housing and supportive services for homeless persons with disabilities.

Permeable Paving. Paving surfaces that let a portion or all rainwater pass into the ground.

Personal Service Establishment. An establishment primarily engaged in the provision of frequent or recurrent services of a personal nature. Typical uses include, but are not limited to, beauty salons and spas, barbershops, tanning salons, massage establishments, commercial copy shops, animal grooming, shoe repair, personal item repair shops, laundromats, dry cleaners, and tailors. Personal service establishments do not include any adult uses.

Pet Day Care Service. An establishment where pet animals owned by another person are boarded for the day or overnight, and services such as grooming, dogwalking and pet training are offered. A "Pet Day Care Service" may include ancillary retail sales on the site.

Pier. Any fixed or floating structure for securing vessels and the loading or unloading persons or property projecting from a lot or parcel in private ownership or which may be accessed by the public.

Piling (Water-Related). A post driven into the water's bottom and supporting a structure such as a pier, wharf, jetty, dock, or float.

Place of Worship. A structure, together with accessory structures and uses, where persons regularly assemble for religious purposes, religious instruction, and related social events, which is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes. A place of worship may include group housing for persons under religious vows or orders. Places of worship may also include day care centers.

Porch. A structure, which can be covered or uncovered, that projects from the exterior wall of a structure, has direct access to the street level of the structure.

Porous Paving System. A paving system that allows water to pass through the spaces between the pavers and voids in the underlying aggregate base courses.

Principal Building. A building or buildings where the principal use of the lot is conducted.

Principal Use. The main or primary purpose for which a structure or lot is designed, arranged, or intended.

Printing Establishment. A large-scale facility for the custom reproduction of written or graphic materials on a custom order basis. Typical processes include, but are not limited to, offset printing, photocopying, blueprint printing and copying, and binding. Printing establishments do not include a commercial copy shop, where services such as photocopying, binding, and access to computers and facsimile sending and receiving are provided. A commercial copy shop is considered a personal service establishment.

Prison. A facility for the detention, confinement, treatment, and rehabilitation of persons arrested or convicted for the violation of civil or criminal law.

Private Recreation (Indoor or Outdoor). Indoor or outdoor recreation facilities located within a residential development that is limited to use by residents and their guests.

Property Line. The lines forming the boundary of a lot, determined by metes and bounds, whether those lines are for single lots or combination of lots.

Public Fishing. Waterfront areas accessible to the public for fishing.

Public Market. A recurring assembly of multiple vendors selling art, crafts, edible items, packaged food or beverages, produce, and/or other similar merchandise directly to retail customers in a covered or uncovered open-air setting.

Public Monument. A building, pillar, or similar structure erected either by a public agency or controlled by a public agency in memory of the dead, a person, or event.

Public Realm. All areas to which the public has open access including, but is not limited to, streets, pedestrian ways, bikeways, bridges, plazas, nodes, squares, transportation hubs, gateways, parks, waterfronts, natural features, view corridors, landmarks, and building interfaces.

Public Works and Safety Facility. Facilities operated by: 1) public safety agencies, including fire stations, and police and sheriff substations and headquarters, including the dispatching, storage, repair, and maintenance of police and fire vehicles; or 2) public works facilities of the City or parish for municipal repair, storage, or production facilities, including the dispatching, storage, and maintenance of municipal vehicles. A public works and safety facility includes associated office or meeting rooms.

Pumping Station. Facilities including pumps and equipment for pumping fluids from one place to another, typically to remove water that has found its way into low-lying areas as a result of leakage or flooding.

Racetrack. A measured course where animals or motor vehicles are entered in competition against one another or against time including tracks used only in the training of animals.

Rain Barrel. A tank used to collect and maintain harvested rain, typically from the roof via rain gutters, that is not permanently attached to the ground and can be moved to different locations on the lot.

Rain Garden. A planted depression that allows stormwater runoff to be absorbed into the ground.

Rainwater Harvesting. The accumulating and storing of rainwater for reuse from impervious surfaces, which may be used to provide water for irrigation and other non-potable uses.

Reception Facility. An establishment that functions as a hosting and rental facility or banquet hall for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on site or by a caterer to invited guests during intermittent dates and hours of operation. A reception facility is not operated as any kind of restaurant or bar with regular hours of operation. Live entertainment, excluding adult uses, may be included as an ancillary use of the private event and is not subject to a separate approval. Any business operating as a designated reception facility is not considered casual, temporary, or illegal due to the nature of the business operating intermittently for scheduled events with food and beverage service at the request of clients. Events scheduled by non-owners and/or operators shall be held a minimum of fifteen (15) times per year to uphold a legal operating status as a reception facility.

Recording Studio. A facility for sound recording and mixing.

Recreational Vehicle. A vehicle or similar means of human transportation used primarily for recreational purposes. Recreational vehicles include, but are not limited to, boats and rafts, camper trailers designed to be used as a temporary dwelling for travel or recreational use, motor homes, pickup coaches designed primarily to be mounted on a pickup or truck chassis and suitable for use as a temporary dwelling for travel, recreational or vacation uses, and jet skis and other personal watercraft.

Recreational Vehicle (RV) Park. Any lot or parcel of land used or intended to be used for the accommodation of two (2) or more recreational vehicles for transient dwelling purposes for a maximum of fifteen (15) days.

Real Estate Model Unit. A residential unit temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental in a residential development. Model units may also incorporate sales or rental offices for dwellings within the development.

Research and Development (R&D). An establishment where research and development is conducted in industries including, but not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, and computer hardware and software. Research and development does not involve the bulk manufacture, fabrication, processing, or sale of products.

Residential Care Facility. A group care facility licensed by the state for twenty-four (24) hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. A residential care facility includes independent living, assisted living, hospice facilities, nursing homes, residential abuse addiction treatment facilities, and continuum of care facilities.

Restaurant, Carry-Out. An establishment maintained, operated, or advertised or held out to the public as a place where food, beverage, or desserts are served in disposable containers or wrappers from a

serving counter for consumption off the premises. Carry-out restaurants may not offer alcoholic beverages for sale.

Restaurant, Fast-Food. An establishment, which may be part of a chain of fast food outlets, that is oriented around the quick-service of meals for on-premise or off-premise consumption. Typically, a fast-food restaurant's design or principal method of operation includes three (3) or more of the following characteristics: 1) a permanent menu board is provided from which to select and order food; 2) standardized floor plans, architecture and/or sign design are used over several locations; 3) customers pay for food before consuming it; 4) a self-service condiment bar is provided; 5) trash receptacles are provided for self-service bussing; 6) furnishing plan indicates hard-finished, stationary seating arrangements; 7) drive-through service is offered; and 8) most main course food items are prepackaged rather than made to order. Fast food restaurants may not offer alcoholic beverages for sale. Table service by restaurant employees is not provided.

Restaurant, Specialty. An establishment whose primary business is the sale of one or more specialty types of food or beverage that is or are not considered a complete meal (e.g., candy, coffee, or ice cream). Specialty restaurants may only offer alcoholic beverages for sale in those districts where a bar is a permitted use or in those districts where a bar is a conditional use, upon obtaining conditional use approval. .

Restaurant, Standard. An establishment where food and/or beverages are prepared to order, served by wait staff, and usually consumed on-premises. A standard restaurant's principal method of operation includes ordering by customers from an individual menu or menu board and the service of food and beverages by a restaurant employee at the same table or counter where the items are consumed. Standard restaurants may offer alcoholic beverages for sale as incidental to food and non-alcoholic beverage service. Food service and sale of non-alcoholic beverages shall constitute at least fifty percent (50%) or more of the revenue for said establishment.

Retail Goods Establishment. A business that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. A retail goods establishment does not include any adult uses. A retail goods establishment may not sell alcoholic beverages unless retail sales of packaged alcoholic beverages is allowed within the district and a separate approval is obtained for such use. A retail goods establishment that sells food products, such as a delicatessen, bakery, or grocery, may offer ancillary seating areas for consumption of food on the premises.

Retail Sales of Packaged Alcoholic Beverages. Retail sales of packaged alcoholic beverages for consumption off-premises when licensed by the City. Sale of alcoholic beverages shall be in factory original containers.

Rooming House. A structure containing sleeping rooms where lodging or lodging and meals are provided for five (5) or more unrelated persons but containing less than fifteen (15) sleeping rooms. The sleeping rooms generally do not have private bathrooms or attached kitchens. In a residential zoning district, the minimum length of stay in a rooming house is thirty (30) days. A rooming house with more than fifteen (15) sleeping rooms is considered a guest house. Rooming houses may include restaurants where such are permitted by the underlying zoning.

Salvage Yard. A facility where used vehicles, appliances, building fixtures, architectural features from structures, and similar commodities are sorted, dismantled, and/or offered for sale.

Satellite Dish Antenna. A dish antenna designed for transmitting signals to a receiver or receiving station or for receiving television, radio, data, communication, or other signals from other antennas, satellites, or other services.

Seaplane Base. Landing area for seaplanes.

Security and Operations Plan. A detailed description of business practices and a plan for mitigation measures for the purpose of controlling and/or reducing the impacts of a particular development on adjacent uses. Elements of a security and operation plan include the days and hours of operation, the size of the establishment, a detailed site plan of all outdoor uses/activities including a seating plan with furniture proposed for outdoor seating and noise mitigating measures, exterior lighting design, and maximum occupancy loads.

Senior Housing Set-Aside. A recorded restriction that requires a certain percentage of dwellings within a development to be rented or owned by persons who are sixty-two (62) years of age or older or, if two (2) persons occupy a unit, at least one (1) person shall be sixty-two (62) years or older. Housing set aside for seniors shall be designed as ADA accessible units.

Separation/Recovery Facility. A solid waste facility at which recyclables are separated from the solid waste stream for future use through the removal of solid waste matter that still has useful physical or chemical properties. These materials are then reused or recycled for the same or other purposes, including uses as energy sources, as defined in the Louisiana Administrative Code and the Louisiana Department of Environmental Quality guidelines.

Servitude. A charge on a servient estate for the benefit of the dominant estate. The two estates must belong to different owners.

Sewer Treatment Facility: A designated location where wastewater and solids are received and put through multi- step processes of treatment before being safely returned to the environment for other purposes.

Shade Tree. A deciduous tree planted primarily for its high crown of foliage or overhead canopy. A large shade tree is over forty (40) feet in height. Medium shade trees are between twenty-five (25) and forty (40) feet in height. Small shade trees reach up to twenty-five (25) feet in height.

Shipyard. Any facility or area used for the manufacture, assembly, or repair, launch, storage, or transport of ships, barges, or boats.

Shopping Center. A group of retail and other commercial establishments that is planned, owned, and managed as a single property. The center's size and orientation are generally determined by the market characteristics of the trade area served by the center. The two (2) main configurations of shopping centers are malls and strip centers. See "Strip Center Development" below.

Short Term Rentals. Rentals of a premises or any portion thereof for dwelling, lodging or sleeping purposes with duration of occupancy of less than sixty (60) consecutive days in the Vieux Carré and less than thirty (30) consecutive days outside the Vieux Carré. Hotels, motels, bed and breakfasts, and other land uses explicitly defined and regulated in this ordinance separately from short term rentals are not considered to be short term rentals.

Sign. Any structure, display, device, or inscription which is located upon, attached to, or painted or represented on any land, structure, on the outside or inside of a window, or on an awning, canopy, marquee, or similar structure, and which displays or includes any numeral, letter work, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention-arrester, direction, warning, or designation of any person, firm, group, organization, place, community, product, service, business, profession, enterprise, or industry.

Sign, A-Frame. An advertising device, ordinarily in the shape of an “A” or some variation such as a “T” shape, located on the ground, not permanently attached, and easily movable. (See [Figure 26-14: A-Frame Sign](#))

FIGURE 26-14: A-FRAME SIGN



Sign, Animated. A sign that uses movement or change of lighting to depict action or to create a special effect or scene.

Sign, Attached. A sign attached to a structure.

Sign, Awning. A sign painted on or attached to the surface of an awning. (See [Figure 26-15: Awning Sign](#))

FIGURE 26-15: AWNING SIGN



Sign, Balloon. One (1) or more inflated balloons used as a sign.

Sign, Banner. Any sign printed or displayed upon cloth, plastic or other flexible material with or without frames. (See [Figure 26-16: Banner Sign](#))

FIGURE 26-16: BANNER



Sign, Canopy. A sign mounted on, printed on or attached to a canopy. (See [Figure 26-17: Canopy Sign](#))

FIGURE 26-17: CANOPY SIGN



Sign, Category. A sign that identifies the name or address of the business and may include the category of business.

Sign, Construction. A sign that identifies the name of principal contractors, architects, and lending institutions responsible for construction on the site and limited in display to the duration of construction.

Sign, Detached. A sign that is attached to a self-supporting structure and not attached to a building.

Sign, Directional. A sign that identifies parking lot entrances and exits, restrooms, public telephones, walkways, and features of a similar nature.

Sign, Directory. A sign that serves as common or collective classification for a group of businesses operating within a multi-tenant structure. The sign may name the businesses and location information for a business within the structure but no other advertising matter.

Sign, Electronic Display Screen. A sign or portion of a sign that displays an electronic image or video, which may or may not include text. This definition includes television screens, plasma screens, digital screens, flat screens, LED screens, video boards, and holographic displays.

Sign, Electronic Message. Any sign or portion of a sign that uses changing lights to form a sign message or messages in text form where the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Time/temperature and gas price signs are not considered electronic message signs.

Sign Face. That particular area of the sign structure upon which a message, copy, or advertisement is displayed for viewing.

Sign, Flashing. An illuminated sign on which the artificial or reflected light is not stationary or constant in intensity or color when in use and gives the impression of flashing or blinking. Rotating signs are not flashing signs.

Sign, Freestanding. A sign that is attached to a self-supporting structure. A freestanding sign may be a pole or monument sign. See “Sign, Freestanding – Monument” and “Sign, Freestanding – Pole.”

Sign, Freestanding – Monument. Any sign, other than a freestanding pole sign, placed upon or supported by the ground independently of any other structure. The sign base of a monument sign shall be a minimum of seventy-five percent (75%) of the width of the sign face situated upon the base. (See Figure 26-18: Monument Sign)

FIGURE 26-18: MONUMENT SIGN



Sign, Freestanding – Pole. A sign erected and maintained on one (1) or multiple freestanding masts or poles and not attached to any structure. (See [Figure 26-19: Pole Sign](#))

FIGURE 26-19: POLE SIGN

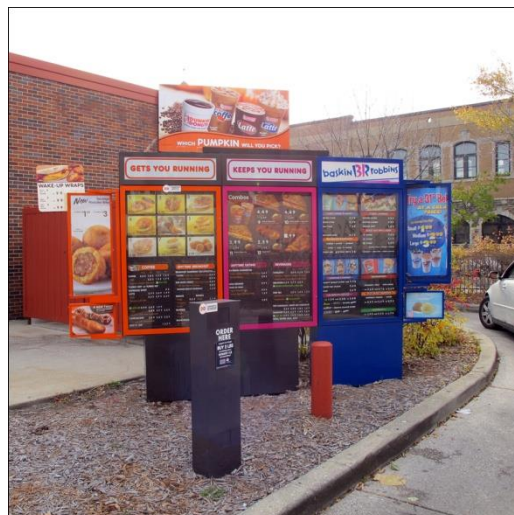


Sign, Identification. A sign containing only the name and address of the structure or development

Sign, Inventory. A sign that identifies the products, services, and/or prices of the business.

Sign, Menu Board. Signs located adjacent to a drive-through lane that identifies food and beverages offered for sale at the restaurant and associated prices and specials. (See [Figure 26-20: Menu Board Sign](#))

FIGURE 26-20: MENU BOARD SIGN



Sign, Moving. A sign that, in whole or in part, rotates, elevates, or in any way alters position or geometry. Moving signs do not include clocks or barber poles.

Sign, Municipal. A sign erected and maintained pursuant to, and in discharge of, any municipal functions or as required by law including, but not limited to, speed limit signs, stop signs, City limit signs, street name signs, historic or government site identification signs, and public directional signs.

Sign, Nonconforming. A sign legally erected prior to the adoption of this Ordinance that does not conform to the requirements of this Ordinance.

Sign, Occupational. A sign indicating the name and profession of an occupant of the lot or structure.

Sign, Parking Area Identification. A sign that identifies a parking lot.

Sign, Parking Lot Directional. A sign within a parking lot that identifies entrances and exits.

Sign, Permanent. A sign attached to a structure or the ground that is made of materials intended for long-term use.

Sign Permit Identification Plate. That portion of the sign's face that identifies the permit number(s) assigned to it by the City and, where applicable, the state.

Sign, Political or Non-Commercial. A sign advocating action on a public issue, recommending a candidate for public office, or advocating a position.

Sign, Projecting. A sign attached to and projecting more than eighteen (18) inches from the face of a wall or building, but does not project above the parapet or eave line of the building. Projecting signs are also called blade signs. (See [Figure 26-21: Projecting Sign](#))

FIGURE 26-21: PROJECTING SIGN



Sign, Portable. A sign whose principal supporting structure is intended, by design and construction, to be used by resting upon the ground for support and may be easily moved or relocated. Portable signs include, but are not limited to, signs mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or with wheels removed.

Sign, Real Estate. A temporary sign that relates to the sale, lease, or rental of property.

Sign, Residential Identification. A sign that identifies the name and address of a multi-family dwelling or residential subdivision.

Sign, Roof. A sign above the roof of a building that is fastened to and supported by the roof of a structure.

Sign, Rotating. A sign where the sign face or faces slowly revolve and limited to no more than twenty (20) revolutions per minute. Any light source shall remain constant.

Sign Support Structure. Any structure that supports, or is capable of supporting, a sign including a decorative cover.

Sign, Temporary Off-Premise. A temporary sign that directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where such sign is located.

Sign, Under-Awning or Under-Gallery. A sign attached to and mounted under an awning or gallery. (See [Figure 26-22: Under-Awning or –Gallery Sign](#))

FIGURE 26-22: UNDER-AWNING OR –GALLERY SIGN



Sign, Wall. A sign mounted flat against a wall of a structure with the exposed face of the sign in a plane parallel to the face of the wall and projecting no more than eighteen (18) inches from the wall. A wall sign may also be painted on a wall. A wall sign does not include window signs. (See [Figure 26-23: Wall Sign](#))

FIGURE 26-23: WALL SIGN



Sign, Window. A sign attached to, placed upon, or printed on the interior or exterior of a window of a door or structure, or mounted within twelve (12) inches of the window intended for viewing from the exterior of such a building. A window sign may be either permanent or temporary. (See [Figure 26-24: Window Sign](#))

FIGURE 26-24: WINDOW SIGN



Sno-Ball. Shaved ice flavored with syrup and may include a variety of toppings.

Sno-Ball Stand. A place where sno-balls are made and sold. A sno-ball stand may also sell additional food and beverage items, such as ice cream, hot dogs, nachos, and non-alcoholic beverages.

Social Club or Lodge. Structures operated by an organization or association for some common purpose, such as, but not limited to, a fraternal, social, educational, or recreational purpose or a union hall, but not including clubs organized primarily for profit or to render a service which is customarily carried on as a business. Such organizations and associations shall be incorporated under the laws of Louisiana as a nonprofit corporation or registered with the Secretary of State of Louisiana. Fraternities/sororities are not considered social clubs or lodges.

Solar Energy System. Equipment that directly converts and then transfers or stores solar energy into usable forms of thermal or electric energy. A solar energy system is further defined as:

- A. Solar Farm.** A solar energy system operated by a public, private, or cooperative utility company for the generation, transmission, distribution, or processing of electrical or thermal energy.
- B. Solar Garden.** A solar energy system that supplies power primarily for use by the principal and accessory uses of a group of buildings.

Solar Panel. A group of photovoltaic cells or thermal collectors that collect and convert sunlight as a source of energy for purposes such as heating or cooling a structure, heating or pumping water, or generating electricity. Panels are assembled on-site into solar arrays.

Solar Screen. Fixed framed panels of dense mesh mounted flush on or projecting from the exterior of a window or over skylights, doors, and other fenestrations, with light transmission percentages that range from sixty percent (60%) or more.

Stacking Space. A queuing space specifically designated as a waiting area for vehicles patronizing a drive-in business or a parking garage

Stadium. A commercial structure with tiers of seats rising around a field or court, intended to be used primarily for the viewing of athletic events, typically designated for one sport and/or sporting team. Sports arena may also be used for secondary entertainment and other public gathering purposes, such as conventions, circuses, or concerts. Unless otherwise restricted by this Ordinance, a stadium may serve alcoholic beverages as an ancillary use but only when the stadium is open to the public for an event.

Statue/Sculpture. A three-dimensional construction or form, generally executed for the purposes of decoration or artistic expression, and displayed in public.

Stoop. An exterior access platform typically constructed of concrete, masonry, wood, or other material with a finished floor elevation higher than the adjacent ground level.

Story. That portion of a structure, other than a basement, included between the surface of any floor and the surface of the floor above or, if there is no floor above, then the space between such floor and the ceiling above. A basement used for dwelling purposes is considered a story.

Stormwater Management. Any technique, apparatus, or facility that controls and/or manages the path, storage, or rate of release of stormwater runoff and include storm sewers, retention/detention basins, drainage swales and bioswales, rainwater reuse systems, drainage channels, inlet or outlet structures, and other similar techniques and facilities.

Street. A public or private thoroughfare that affords the principal means of access to abutting property.

Street Line. A line that separates a lot, tract or parcel of land from an abutting street right-of-way.

Street, Major. A street designated as such on the officially adopted Major Street Plan of the City of New Orleans.

Street, Minor. A street designated as such on the officially adopted Major Street Plan of the City of New Orleans.

Street Wall. The wall of a structure nearest to and facing on a street.

Strip Center Development. A pattern of commercial development comprised of two (2) or more separate businesses, generally one (1) lot in depth with commercial activity arranged in a line formation.

Structural Alterations. Any changes in the supporting members of a structure, such as footings, bearing walls or partitions, columns, beams, or girders or any substantial change in the roof or in the exterior walls.

Structure. Anything constructed or erected, the use of which requires more or less permanent location on the ground, or attached to something having a permanent location on the ground.

Substantial Construction. Commencement of construction of a sufficient level as to toll the expiration of an approval, as determined by the Director of Safety and Permits.

Swimming Pools. Any structure, portable or permanent, containing a body of water eighteen (18) inches or more in depth, intended for recreational purposes, including a wading pool, but not including an ornamental reflecting pool, fish pond, or similar type pool, located and designed so as not to create a hazard or to be used for swimming or wading.

T-Shirt. Any garment or article of clothing, including, but not limited to, T-shirts, sweat shirts, tank tops, shirts, or scrub shirts, which are designed or intended generally to be worn on or over the chest and containing any communicative verbiage, graphics, or images imprinted or to be imprinted on the garment or article of clothing, exclusive of a garment manufacturer's mark or logo, exclusive of decorative words, and information woven or dyed in the fabric by the manufacturer of the fabric, exclusive of hand stitched, needle work or embroidery, exclusive of tie-dye garments, and exclusive of hand painted or air-brushed garments that contain no communicative verbiage, graphics or images.

T-Shirt Shop. Any premises in which the retail sale of t-shirts and souvenirs is the principal use of the premises or is the major attraction to the premises. For the purposes of this Ordinance, souvenir means items, exclusive of books, magazines or maps that serve as a token of remembrance of New Orleans and bear the name of the City or geographic areas or streets thereof or of events associated with New Orleans including, but not limited to, events such as Mardi Gras, Super Bowl, or the Sugar Bowl.

Tandem Parking. A parking arrangement where two (2) or more parking spaces are located one behind the other.

Tattoo Parlor. An establishment where tattooing, body piercing, and non-medical body modification services are offered. This definition does not include establishments that offer only ear piercing as an ancillary use.

Taxi Cab Dispatch. A facility for the dispatching of taxi cabs through either a 2-way radio or a computer terminal to an in-vehicle mobile data terminal.

Temporary Contractor Trailer. This use includes security trailers, construction equipment sheds, contractor trailers, and similar uses incidental to a construction project and sales of homes within a newly constructed development.

Temporary Storage Container. Temporary self-storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for.

Temporary Structure. A structure without any foundation or footing that is removed after a designated time period, when the activity or use for which the temporary structure was erected has ended.

Temporary Telecommunications Cell on Wheels (COW). A portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A temporary telecommunications COW is normally vehicle mounted and contains a telescoping boom as the antenna support structure.

Temporary Use. A use of limited duration that is not a permitted or conditional use within a zoning district.

Tent. Any temporary structure or enclosure, the roof of which or one-half or more of the sides are constructed of silk, cotton, canvas, fabric, vinyl, or similar pliable material.

Terrace. A raised impervious or semi-pervious surface, built upon a solid base, such as an earthen mound, designed and intended for recreational use by people and not as a parking space. A terrace is distinguished from a deck in that the raised surface of a deck is built above grade on structural supports.

Timeshare Building. A building containing condominium units, rooms or suites of rooms, with or without culinary facilities and subject to a timeshare plan. The construction of or conversion to timeshare buildings must be registered with the Department of Safety and Permits by applying for a Certificate of Use and Occupancy.

Timeshare Plan. Any plan or program in which the use, occupancy, or possession of one (1) or more condominium units, rooms, or suites of rooms in a timeshare building circulates among various unrelated persons for a specific or discernible period by temporal division of less than a sixty (60) day period in any year for any occupant. Timeshare plans include timeshare ownership plans and timeshare use plans, as follows:

- A.** Timeshare ownership plan is any arrangement, whether through common ownership, sale or by other means, whereby a person receives an ownership interest in a condominium unit, room, or suite of rooms in a timeshare building.
- B.** Timeshare use plan is any arrangement, excluding normal hotel operations, whether by membership agreement, lease, rental agreement, license, use agreement, security, or other means, whereby a person receives the right to use but not an ownership interest in a condominium unit, room, or suite of rooms in a timeshare building.

Traffic Impact Analysis. A study assessing the effects that a particular development's traffic will have on the transportation network. These studies vary in their range of detail and complexity depending on the type, size and location of the development. All Traffic Impact Analyses must be signed by a licensed Louisiana traffic engineer and must include the following items:

- a. A site location analysis, including a description of the existing site, surrounding land uses and zoning, the existing street network in the area including adjacent streets and nearest intersections, and the existing vehicular and pedestrian circulation systems in the area;
- b. A description of existing traffic conditions and operations, including current peak hour traffic volumes, current average daily traffic counts, modal splits, levels of service, and turning movement counts for adjacent streets and nearest intersections;
- c. The location and capacity of all off-street parking and loading spaces;
- d. An evaluation of the possible traffic load impacts of the proposed development on the surrounding street system, including impacts to through traffic on the subject street and to traffic at nearby intersections;

- e. A parking analysis including the location and capacity of all off-street parking and loading spaces, the impact of the proposed development on the availability of parking in the surrounding area, and the impact of the proposed development on the location of any ingress and egress points;
- f. A plan to address traffic impacts from the development, contributions to improved street capacity and operations, and cost estimates for each measure;
- g. Any other information, diagrams, and/or drawings deemed necessary by the staff of the City Planning Commission in order to evaluate the impacts of the proposed development.

Trailer. Any non-self-propelled, wheeled vehicle, designed for carrying persons or property when drawn by a motor vehicle.

Transit-Oriented Development (TOD). A mixed-use area of residential and commercial uses designed to maximize access to public transit, incorporating design elements that require a certain percentage of active ground floor uses and encourage use of transit. Transit-oriented development areas are typically located within a quarter mile of a designated transit stop.

Transparency. The total area of fenestration along a ground floor façade calculated as the percentage of fenestration of the total facade area located between two (2) feet to eight (8) feet above the finished ground floor level.

Truck Marshalling. The temporary parking or storage on a property of trucks or other vehicles that transport goods to or from another property, such as an office building, retail or wholesale center, or meeting or convention site. The vehicles are temporarily parked or stored at the property before they are driven to the property being served, where the transported goods are loaded or unloaded.

Truck Repair. Establishments involved in the repair and service of trucks. As used in this definition the term trucks does not include any vehicle whose maximum gross weight is ten thousand (10,000) pounds or less as rated by the Louisiana Department of Motor Vehicles.

Truck Stop. A structure or land used or intended to be used primarily for the retail sale of fuel for trucks and, usually, incidental service or repair of trucks. The site may also include attendant eating, sleeping, or truck parking facilities. As used in this definition, the term trucks does not include any vehicle whose maximum gross weight is ten thousand (10,000) pounds or less as rated by the Louisiana Office of Motor Vehicles.

Truck Terminal.

- A. A structure or land used or intended to be used primarily:
 - 1. To accommodate the transfer of goods or chattel to other trucks or truck trailers or to vehicles of other types, in order to facilitate the transportation of such goods or chattel.
 - 2. To accommodate parking or storage of trucks or truck trailers.
- B. A truck terminal may include, as incidental uses only, sleeping quarters and other facilities for trucking personnel, facilities for the repair or service of vehicles, or necessary truck storage space involved in the transit of goods or chattel. Truck terminals include facilities for the storage of freight shipping containers designed to be mounted on chassis for part or all of their transport, but does not include a warehouse, moving and storage establishment, or truck stop. Land used as an accessory to a lawful business or industrial use other than a truck terminal for the parking, storage, or repair of trucks is not a truck terminal within the meaning of this definition. As used in this definition, the terms trucks, truck trailers, and truck tractors do not include any vehicle whose maximum gross weight is ten thousand (10,000) pounds or less as rated by the Louisiana

Department of Motor Vehicles. A truck terminal may have provisions to allow for the transfer of goods to water, air, rail or another truck. Truck terminals are further divided into the following classes:

1. **Trucking Terminal, Class I (Freight Transfer Terminal).** A trucking facility whose primary purpose is to accommodate the transfer of goods or chattel from trucks or truck trailers or to vehicles of other types in order to facilitate the transportation of such goods or chattels. Such a facility does not include video poker gaming/gambling.
2. **Trucking Terminal, Class II (Truck Storage Lot).** A trucking facility which includes a truck yard and the primary purpose of which is to accommodate the parking or storage of trucks, truck trailers or truck tractors. Such a facility does not include video poker gaming/gambling.

Urban Heat Island. An area of significant paving that is uncovered and without shade where significantly more heat is absorbed and retained than in surrounding areas.

Use. The purpose or activity for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

Use, Less Restrictive. A change in the use of a structure or land that decreases the concentration of activity on the property. Examples include a change use that decreases the number of dwelling units, decreases the density, shortens the hours of operation, decreases the number of parking spaces, or decreases the occupancy rating established by the Building Code.

Use, More Restrictive. A change in the use of a structure or land that increases the concentration of activity on a property. Examples include a change in use that increases the number of dwelling units, increases the density, lengthens the hours of operation, increases the number of parking spaces, or increases the occupancy rating established by the Building Code.

Utility. Basic services such as electricity, gas, sewer, or water, or the company that provides such a service.

Vacant. A lot or a building, or a portion of a lot or of a building, that is not actively occupied by or maintained for any use. The determination of vacancy for nonconforming uses or structures, or a portion thereof, is supported by evidence, deemed satisfactory to the Director of the Department of Safety and Permits including, but not limited to the following: the actual removal of equipment, furniture, machinery, structures, or other components of the nonconforming use that are not replaced; the turning off, disconnection, or removal of the previously connected utilities; the lack of a valid certificate of occupancy; and the lack of business receipts, other business records or any necessary licenses that provide evidence that the use is in continual operation.

Variance. A departure from any requirement of the Comprehensive Zoning Ordinance except as to use.

Victuals. Food of any kind that is prepared, packaged, or in a form that is suitable for immediate ingestion or consumption. This definition excludes the selling of fresh produce or raw or cooked seafood sold in bulk or by weight that has not been prepared, packaged, or served with other prepared food as part of a menu item. Sale of fresh, uncooked, or unprepared seafood, or farmers selling their own produce or value-added products (oils, jams, jellies, etc.) shall be regulated by the City Code.

Warehouse. A facility for the storage and distribution of manufactured products, supplies, and equipment.

Waste Transfer Station. A facility for the purpose of transferring solid wastes that are generated off the premises of the facility from vehicles or containers into other vehicles or containers for transportation to a solid waste disposal facility.

Water Feature. A decorative site feature with either still or moving water less than eighteen (18) inches in depth and may include fountains, waterspouts, waterfalls, formal or informal ponds, bogs, or container water gardens.

Water Treatment Facility. A designated location where ground water and surface water are put through multi-step treatment processes to produce a product for public consumption and firefighting. The process and product shall meet all state and federal regulations for public water systems.

Waterway. Any body of water, including any bayou, creek, canal, river, lake, lagoon, pond, or bay, or any other body of water, natural or artificial, except a swimming pool or water feature.

Waterway Line. The mean high water mark for lakes, bayous and rivers, and the boundary line of the highest winter tide for the sea.

White Roof. A roof designed to deliver high solar reflectance, reducing heat transfer to the building and the ability to radiate absorbed or non-reflected solar energy.

Wholesale Goods Establishment. A facility or place of business primarily engaged in selling and/or distributing merchandise to retailers, industrial, commercial, institutional, or professional business users, or to other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wind Energy System. Equipment used to produce electricity by converting the kinetic energy of wind to mechanical and electrical energy, consisting of wind turbines and accessory facilities, including but not limited to: power lines, transformers, substations, and meteorological towers.

Wind Farm. A wind energy system operated by a public, private, or cooperative utility company for the generation, transmission, distribution, or processing of energy.

Wind Turbine. A mechanism or device that converts wind energy into electrical power, including windmills and residential wind turbines, towers, and supporting structures and such directly connected facilities as generators, alternators, inverters, batteries, and associated control equipment.

Wine Bar and Wine Shop. An establishment whose principal business is the sale of wine made from grapes, and where the sales of wine made from grapes (for on or off-premises consumption) produces seventy-five (75) percent or more of the gross revenue for said establishment, where alcoholic beverages and/or food products are sold or served for consumption on or off premises, where fifty (50) percent or more of the usable space of the establishment is used to display wines for retail sale, but where neither live entertainment nor gambling are provided, where package liquor products are not advertised outside or off the premises or in any place visible from the exterior of the premises, and where smoking is prohibited in all indoor areas.

Winery. An agricultural operation where the cultivation, processing, fermentation, and bottling of grapes, berries, or fruits occurs, including all related equipment.

Wireless Telecommunications Antenna. A specific device, the surface of which is used to transmit and/or receive radio-frequency signals, microwave signals, or other signals transmitted to or from other antennas. Wireless communications antenna does not include satellite dish antenna.

Wireless Telecommunications Facility. An un-staffed structure or cabinet used to house and protect the equipment necessary for processing telecommunications signals, which may include air conditioning equipment and emergency generators.

Wireless Telecommunications Tower. A ground level structure designed and constructed to support one (1) or more wireless communications antennas and including all appurtenant devices attached to it. A

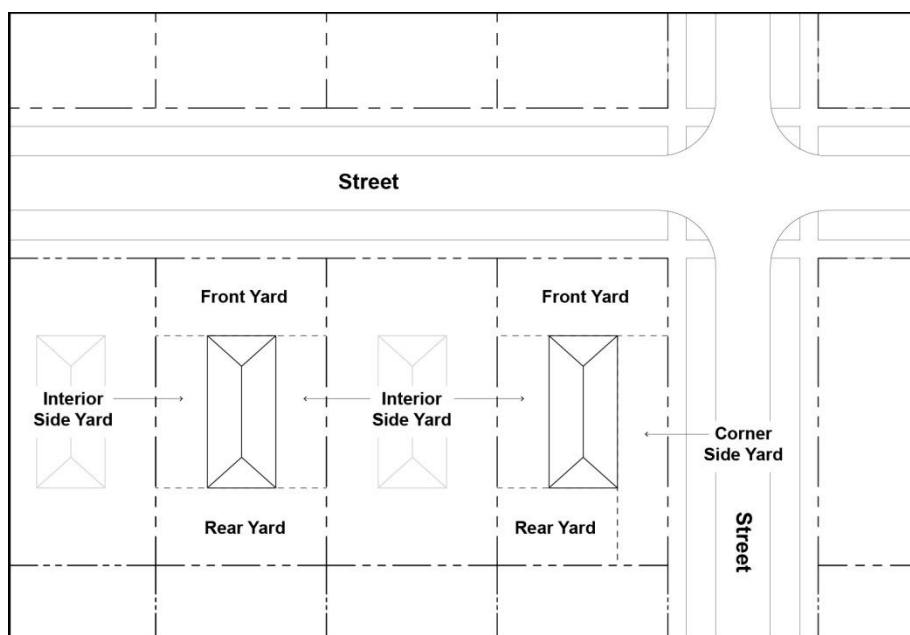
tower can be freestanding (solely self-supported by attachment to the ground) or supported (attached directly to the ground and with guy wires) of either lattice or monopole construction.

With Prejudice. As applied to a decision, this indicates that the decision is the final action in the matter; specifically, a decision that is adverse to the applicant in the matter.

Without Prejudice. As applied to a decision, this indicates that a new action is allowed to be considered on the same matter, indicating that the current action is not necessarily the final decision on the matter.

Yard. Open space located at grade between a structure and the adjoining lot lines, unoccupied and unobstructed from the ground upward, unless otherwise permitted by this Ordinance. (See [Figure 26-25: Yards](#))

FIGURE 26-25: YARDS



Yard, Corner Side. The required minimum distance a principal building shall be located from a corner side lot line. The corner side yard extends along the corner side lot line between the front yard and the rear lot line, for the required minimum depth, as specified for the district in which such lot is located, measured perpendicular to the corner side lot line (See [Figure 26-25](#))

Yard, Front. The required minimum distance a principal building shall be located from a front lot line. The front yard extends the full width of the lot between side lot lines for the required minimum depth, as specified by the zoning district in which such lot is located, measured perpendicular to the front lot line. On corner lots the front yard is provided facing the street upon which the lot has its lesser dimension. On a through lot, both yards that face a street are considered a front yard and subject to the minimum front yard requirements of the zoning district. (See [Figure 26-25](#))

Yard, Interior Side. The required minimum distance a principal building shall be located from an interior side lot line. The interior side yard extends along an interior side lot line between the front and rear yards, for the required minimum depth, as specified for the district in which such lot is located, measured perpendicular to the interior side lot line. (See [Figure 26-25](#))

Yard, Rear. The required minimum distance a principal building shall be located from a rear lot line. The rear yard extends between the side lot lines for the required minimum depth, as specified by the zoning

district in which such lot is located, measured perpendicular to the rear lot line. On both corner lots and interior lots, the rear yard is, in all cases, at the opposite end of the lot from the front yard. (See Figure 26-25)